



**OREGON BOARD OF
LICENSED PROFESSIONAL
COUNSELORS AND
THERAPISTS**

Oregon Revised Statutes Chapter 675 (2019)
&
Oregon Administrative Rules Chapter 833

Revised 04/20

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Oregon Revised Statutes Chapter 675 2019 EDITION

LICENSED PROFESSIONAL COUNSELORS AND MARRIAGE AND FAMILY THERAPISTS

(Generally)

675.705 Definitions for ORS 675.715 to 675.835. As used in ORS 675.715 to 675.835:

(1) “Assessment” means assessment under standards developed by a national body responsible for accrediting graduate training programs in clinical counseling for professional counselors or in marriage and family therapy for marriage and family therapists.

(2) “Clinical experience” means the professional practice of applying psychotherapeutic principles and methods to provide assessment, diagnosis and treatment of mental disorders.

(3) “Licensed marriage and family therapist” means a person to whom a license has been issued under ORS 675.715.

(4) “Licensed professional counselor” means a person issued a license under ORS 675.715.

(5) “Licensee” means a licensed professional counselor or a licensed marriage and family therapist.

(6)(a) “Marriage and family therapy” means the assessment, diagnosis or treatment of mental, emotional or behavioral disorders involving the application of family systems or other psychotherapeutic principles and methods in the delivery of services to individuals, couples, children, families, groups or organizations.

(b) “Marriage and family therapy” may include, but is not limited to:

(A) Application of counseling techniques for the purpose of resolving intrapersonal or interpersonal conflict or changing perceptions, attitudes, behaviors or interactional processes in the area of human relationships and family life;

(B) Provision of services to address wellness or optimal functioning in human relationships or family life;

(C) Research activities, including reporting, designing or conducting research in marriage and family therapy with human subjects;

(D) Referral activities, including the referral to other specialists when indicated to provide ethical treatment;

(E) Consulting activities that apply marriage and family therapy procedures to provide assistance to organizations that support or enrich marriage and family life; and

(F) Record keeping activities, including documentation of counseling treatment, therapeutic services or clinical supervision.

(7)(a) “Professional counseling” means the assessment, diagnosis or treatment of mental, emotional or behavioral disorders involving the application of mental health counseling or other psychotherapeutic principles and methods in the delivery of services to individuals, couples, children, families, groups or organizations.

(b) “Professional counseling” may include, but is not limited to:

(A) Application of intervention methods based on cognitive, affective, behavioral, systemic or human development principles;

(B) Provision of counseling services to address personal growth or wellness;

(C) Definition of goals and the planning of action reflecting interests, abilities, aptitudes or needs as they relate to problems, disabilities or concerns in personal, social, educational, rehabilitation or career adjustments;

(D) Research activities, including reporting, designing or conducting research in counseling with human subjects;

(E) Referral activities, including the referral to other specialists when indicated to provide ethical treatment;

(F) Consulting activities that apply counseling procedures and interpersonal skills to provide assistance in solving problems relating to an individual, group or organization; and

(G) Record keeping activities, including documentation of counseling treatment, therapeutic services or clinical supervision.

(8) “Registered intern” means an applicant for licensure who is registered to obtain post-degree supervised clinical experience toward licensure according to an approved plan pursuant to ORS 675.720. [1989 c.721 §1; 1993 c.546 §108; 1997 c.269 §3; 1999 c.463 §1; 2001 c.120 §1; 2009 c.549 §4; 2013 c.211 §1]

(Licensing)

675.715 Application; fee; qualifications; examinations; licensing; rules. (1) In order to obtain a license as a professional counselor or a marriage and family therapist, an applicant shall make application on a form and in such a manner as the Oregon Board of Licensed Professional Counselors and Therapists prescribes, accompanied by the nonrefundable fee established pursuant to ORS 675.785. The board shall issue a license as a professional counselor or a marriage and family therapist to each applicant who furnishes satisfactory evidence to the board that the applicant meets the following qualifications:

(a) Is not in violation of any of the provisions of ORS 675.715 to 675.835 and the rules adopted by the board.

(b) Has received:

(A) A graduate degree in counseling in a program approved by the Council for Accreditation of Counseling and Related Educational Programs of the American Counseling Association that includes training in the diagnosis of mental disorders;

(B) A graduate degree in marriage and family therapy in a program approved by the Commission on Accreditation for Marriage and Family Therapy Education of the American Association for Marriage and Family Therapy that includes training in the diagnosis of mental disorders;

(C) A graduate degree, under standards explicitly adopted by the board by rule that is determined by the board to be comparable in both content and quality to a degree approved under subparagraph (A) or (B) of this paragraph and that includes training in the diagnosis of mental disorders; or

(D) A graduate degree, determined by the board to meet at an acceptable level at least a majority of the board’s adopted degree standards and that includes training in the diagnosis of mental disorders, and has completed additional graduate training obtained in a counselor or marriage and family therapy program at an accredited college or university to meet the remainder of the standards.

(c) At the time of application to become a licensed professional counselor or a licensed marriage and family therapist, has a minimum of three years of full-time supervised clinical experience or the equivalent, in accordance with rules adopted by the board.

(d) Demonstrates competence as a professional counselor or marriage and family therapist by passing an examination prescribed by the board as follows:

(A) The examination for the professional counselor license must include, but need not be limited to, counseling theory, human growth and development, social and cultural foundations, the helping relationship, group dynamics, lifestyle and career development, appraisal of individuals, research and evaluation, professional orientation, ethics and Oregon law.

(B) The examination for the marriage and family therapist license must include, but need not be limited to, marriage and family therapy theory, systems theory, appraisal of family relationships, normal individual and family development, research and evaluation, professional conduct, ethics and Oregon law.

(2) An application that remains incomplete for one year from the date of the initial submission to the board is considered to have been withdrawn by the applicant. Incomplete applications include, but are not limited to, applications lacking documentation, signatures or the payment of fees required by the board. [2013 c.211 §2] [1989 c.721 §2; 1993 c.51 §1; 1993 c.546 §109; 1997 c.249 §206; 2001 c.120 §2; 2009 c.549 §14; 2013 c.211 §2]

675.720 Internship; registration requirements; renewal; ethical standards. (1) If an applicant for a license under ORS 675.715 possesses the graduate degree required by ORS 675.715 but has not submitted documentation satisfactory to the Oregon Board of Licensed Professional Counselors and Therapists that the applicant has the required supervised clinical experience, the applicant must register an internship plan to obtain acceptable post-degree supervised clinical experience to qualify for a license as a professional counselor or as a marriage and family therapist.

(2) To register as a professional counselor intern or as a marriage and family therapist intern under this section, the applicant shall submit in the form and manner determined by the board:

(a) A request for registration; and

(b) A plan to obtain or complete the supervised clinical experience required for licensure.

(3) The board shall register the applicant as an intern upon receipt and approval of the completed request and plan required in subsection (2) of this section.

(4)(a) A registered intern must renew the certificate of registration annually on or before the first day of the month in which the board approved the initial registration. To renew a certificate of registration, a registered intern shall:

(A) Submit a renewal application in the form and manner established by the board accompanied by a renewal fee pursuant to ORS 675.785; and

(B) Document fulfillment of all other requirements established by the board by rule.

(b) Failure to renew a registration within 30 days of the annual renewal date terminates the registration and the application for licensure.

(5) Registered interns are subject to all ethical standards adopted by the board. [1997 c.269 §2; 2001 c.103 §1; 2009 c.549 §5; 2013 c.211 §3]

675.725 Annual license; rules; fees; effect of expiration of license. (1) A license issued under ORS 675.715 to 675.835 is subject to annual renewal.

(2) A licensee seeking renewal of a license shall:

(a) Pay the license renewal fee on or before the renewal date established by the Oregon Board of Licensed Professional Counselors and Therapists by rule;

(b) Provide proof of fulfillment of any requirements of the board for continuing education and supervision;

(c) Submit to the board a sworn statement on a form provided by the board certifying that there is no reason for denial of the license renewal; and

(d) Maintain professional disclosure statements as required by the board by rule.

(3) A licensee may renew a license after the date for license renewal by paying the renewal fee and a late filing fee for license renewal prior to the expiration of the grace period for license renewal established by the board by rule.

(4) A licensee may not continue to practice as a licensed professional counselor or a licensed marriage and family therapist after expiration of the license.

(5) A person whose license has expired may apply to be relicensed as follows:

(a) If the person's previous license has been expired for more than two years, the person must apply and qualify for a new license in the same manner as a person who has never been licensed.

(b) If the person's previous license has been expired for two years or less, the person is not required to meet the degree, experience and examination standards for a person who has never been licensed, but must meet all other requirements for relicensure as the board may establish by rule. An application for relicensure under this subsection must be submitted in the manner required by the board and must be accompanied by the payment of the application fee and one annual renewal fee. [1989 c.721 §5; 1991 c.67 §179; 1999 c.463 §2; 2005 c.40 §1]

675.735 Reciprocal license. Upon application therefor accompanied by the appropriate fees established under ORS 675.785, the Oregon Board of Licensed Professional Counselors and Therapists shall grant a license as a professional counselor or marriage and family therapist if the applicant provides evidence to the satisfaction of the board that the applicant is recognized as a professional counselor or marriage and family therapist in another state in which the requirements for such recognition are, in the judgment of the board, at least equivalent to the licensing requirements of ORS 675.715 to 675.835 and rules of the board. [1989 c.721 §6; 1993 c.546 §110]

675.745 Grounds for denial, suspension or revocation of license or refusal to issue license; probation; confidentiality of information; penalties. (1) The Oregon Board of Licensed Professional Counselors and Therapists may deny, suspend, revoke or refuse to issue or to renew any license issued under ORS 675.715 to 675.835 upon proof that the applicant for licensure or the licensee:

(a) Has been convicted of violating ORS 675.825 or of a crime in this or any other state or territory or against the federal government that brings into question the competence of the licensee in the role of a counselor or a therapist;

(b) Is unable to perform the practice of professional counseling or marriage and family therapy by reason of physical illness;

(c) Has an impairment as defined in ORS 676.303;

(d) Has been grossly negligent in the practice of professional counseling or marriage and family therapy;

(e) Has violated any provision of ORS 675.715 to 675.835 or 675.850;

(f) Has violated any rule of the board pertaining to the licensure of professional counselors or licensed marriage and family therapists;

(g) Has failed to file a professional disclosure statement or has filed a false, incomplete or misleading professional disclosure statement;

(h) Has practiced outside the scope of activities, including administering, constructing or interpreting tests or diagnosing or treating mental disorders, for which the licensee has individual training and qualification;

(i) Has been disciplined by a state mental health licensing board or program in this or any other state for violation of competency or conduct standards; or

(j) Notwithstanding ORS 670.280, has been convicted of a sex crime as defined in ORS 163A.005 or has been convicted in another state or jurisdiction of a crime that is substantially equivalent to a sex crime as defined in ORS 163A.005.

(2)(a) The board may reprimand or impose probation on a licensee or a registered intern upon proof of any of the grounds for discipline provided in subsection (1) of this section.

(b) If the board elects to place a licensee or a registered intern on probation, the board may impose:

(A) Restrictions on the scope of practice of the licensee or intern;

(B) Requirements for specific training;

(C) Supervision of the practice of the licensee or intern; or

(D) Other conditions the board finds necessary for the protection of the public.

(3) The board may initiate injunctive proceedings in any circuit court against persons violating any provision of ORS 675.715 to 675.835 or any rules adopted by the board.

(4) Pursuant to ORS 183.745, the board may impose a civil penalty of not more than \$2,500 for each ground for discipline listed in subsection (1) of this section found by the board.

(5) Pursuant to ORS 183.745, the board may impose a civil penalty of not more than \$2,500 for each violation of or failure to observe any limitation or condition imposed by the board on the licensee's or registered intern's practice under subsection (2) of this section.

(6) Information that the board obtains as part of an investigation into licensee or applicant conduct or as part of a contested case proceeding, consent order or stipulated agreement involving licensee or applicant conduct is confidential as provided under ORS 676.175.

(7) In addition to the actions authorized by subsections (1) and (2) of this section, the board may take such disciplinary action as the board in its discretion finds proper, including but not limited to the assessment of the costs of the disciplinary process. [1989 c.721 §15; 1991 c.67 §180; 1993 c.56 §1; 1997 c.791 §17; 1999 c.463 §3; 2001 c.120 §3; 2009 c.549 §8; 2009 c.756 §17; 2015 c.79 §6; 2015 c.611 §3]

(Disclosure and Confidentiality)

675.755 Professional disclosure statement required; content; exemptions; rules. (1)

Except as provided in subsection (6) of this section, prior to the performance of professional counseling or marriage and family therapy, the licensee must furnish the client with a copy of a professional disclosure statement. If the licensee fails to provide the statement, the licensee shall not charge a client a fee for services.

(2) A professional disclosure statement shall include the following information regarding the applicant or licensee:

(a) Name, business address and telephone number;

- (b) Philosophy and approach to counseling or marriage and family therapy;
- (c) Formal education and training;
- (d) Continuing education and supervision requirements; and
- (e) Fee schedules.

(3) The statement must include the name, address and telephone number of the Oregon Board of Licensed Professional Counselors and Therapists.

(4) An applicant shall submit a professional disclosure statement for board approval upon application for a license.

(5) Whenever an applicant or licensee makes a change in the professional disclosure statement, the new statement shall be presented to the board for approval.

(6) The board may adopt by rule exemptions from the requirements of this section. [1989 c.721 §7; 1999 c.463 §4]

675.765 Confidentiality of information; exceptions. A licensee or any employee of the licensee shall not disclose any communication given the licensee by a client in the course of noninvestigatory professional activity when such communication was given to enable the licensee to aid the client, except:

(1) When the client or those persons legally responsible for the affairs of the client give consent to the disclosure;

(2) When the client initiates legal action or makes a complaint against the licensed professional counselor or licensed marriage and family therapist to the Oregon Board of Licensed Professional Counselors and Therapists;

(3) When the communication reveals the intent to commit a crime or harmful act;

(4) When the communication reveals that a minor is or is suspected to be the victim of a crime, abuse or neglect; or

(5) When responding to an inquiry by the board made during the course of an investigation into the conduct of the licensee under ORS 676.165 to 676.180. [1989 c.721 §8; 2001 c.120 §4]

(State Board)

675.775 Oregon Board of Licensed Professional Counselors and Therapists. (1) The Oregon Board of Licensed Professional Counselors and Therapists is established. The board consists of eight members appointed by the Governor and subject to confirmation by the Senate in the manner provided in ORS 171.562 and 171.565. All members of the board must be residents of this state. Of the members of the board:

(a) Three must be licensed as professional counselors under ORS 675.715;

(b) Two must be licensed as marriage and family therapists under ORS 675.715;

(c) One must be from the faculty of a school within this state that has programs to train persons to become professional counselors or marriage and family therapists; and

(d) Two must be members of the public who have demonstrated an interest in the fields of professional counseling and marriage and family therapy but who are not a:

(A) Licensed professional counselor or marriage and family therapist; or

(B) Spouse, domestic partner, child, parent or sibling of a licensee.

(2)(a) Board members required to be licensees may be selected by the Governor from a list of three to five nominees for each vacancy, submitted by any professional organization representing licensees.

(b) In selecting the members of the board, the Governor shall strive to balance the representation according to:

- (A) Geographic areas of this state; and
- (B) Ethnic group.

(3)(a) The term of office of each member is three years, but a member serves at the pleasure of the Governor. The terms must be staggered so that no more than three terms end each year.

(b) By October 1 of each year, the Governor shall appoint persons to fill positions on the board that are due to become vacant on October 1 of that year. A member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(c) A board member shall be removed immediately from the board if, during the member's term, the member:

- (A) Is not a resident of this state;
- (B) Has been absent from three consecutive board meetings, unless at least one absence is excused; or

(C) Is not a licensee or a retired licensee whose license was in good standing at the time of retirement, if the board member was appointed to serve on the board as a licensee.

(4) Members of the board are entitled to compensation and expenses as provided in ORS 292.495. The board may provide by rule for compensation to board members for the performance of official duties at a rate that is greater than the rate provided in ORS 292.495. [1989 c.721 §10; 2001 c.120 §5; 2009 c.535 §4]

675.785 Powers and duties of board; rules; fees. The Oregon Board of Licensed Professional Counselors and Therapists has the following powers and duties:

(1) In accordance with the applicable provisions of ORS chapter 183, the board shall adopt rules necessary for the administration of the laws the board is charged with administering.

(2) Subject to applicable provisions of the State Personnel Relations Law, the board may appoint, prescribe the duties and fix the compensation of employees of the board necessary to carry out the duties of the board.

(3) The board may impose nonrefundable fees in an amount set by rule for the following:

- (a) License application.
- (b) First issuance of a license.
- (c) Renewal of a license.
- (d) Late filing of a license renewal.
- (e) Renewal of registration as an intern.

(f) Examinations. Examination fees may not exceed the costs incurred in administering the particular examination. Fees established under this subsection are subject to prior approval of the Oregon Department of Administrative Services and a report to the Emergency Board prior to adopting the fees and must be within the budget authorized by the Legislative Assembly as that budget may be modified by the Emergency Board.

(4) The board shall:

(a) Maintain a register of all current licensed professional counselors and marriage and family therapists.

(b) Annually publish a directory listing all current licensed professional counselors and marriage and family therapists. The directory must be available to the public, and the board may collect a publication fee for the directory.

(5) The board shall:

(a) Investigate alleged violations of the provisions of ORS 675.715 to 675.835 or rules adopted under authority of the board.

(b) Establish procedures to review the complaints of clients of licensees of the board. Upon receipt of a complaint under ORS 675.715 to 675.835 against a licensed or unlicensed person, the board shall conduct an investigation as described under ORS 676.165.

(6) The board shall report to the Legislative Assembly concerning the activities of the board during the preceding biennium.

(7) The board shall form standards committees to establish, examine and pass on the qualifications of applicants to practice professional counseling or marriage and family therapy in this state, including standards and requirements for continuing education and supervision, as appropriate. The standards committee for professional counselors shall be made up of the professional counselors on the board, the faculty member and the public member. The standards committee for marriage and family therapists shall be made up of the marriage and family members of the board, the faculty member and the public member.

(8) The board shall grant licenses to applicants who qualify to practice professional counseling or marriage and family therapy in this state upon compliance with ORS 675.715 to 675.835 and the rules of the board.

(9) The board may administer oaths, take depositions, defray legal expenses and issue subpoenas to compel the attendance of witnesses and the production of documents or written information necessary to carry out ORS 675.715 to 675.835.

(10) The board may adopt a seal to be affixed to all licenses.

(11) The board shall adopt a code of ethics for licensees. The board may use the ethical codes of professional counseling and marriage and family therapy associations as models for the code established by the board.

(12) The board may set academic and training standards necessary under ORS 675.715 to 675.835, including, but not limited to, the adoption of rules to establish semester hour equivalents for qualification for licensing where quarter hours are required under ORS 675.715 to 675.835.

(13) The board shall require the applicant for a professional counselor license or a marriage and family therapy license to receive a passing score on an examination of competency in counseling or marriage and family therapy. The examination may be the examination given nationally to certify counselors, or in the case of marriage and family therapy, the examination approved by the Association of Marital and Family Therapy Regulatory Boards.

(14) For the purpose of requesting a state or nationwide criminal records check under ORS 181A.195, the board may require the fingerprints of a person who is:

(a) Applying for a license that is issued by the board;

(b) Applying for renewal of a license that is issued by the board; or

(c) Under investigation by the board.

(15) The board shall prescribe, in consultation with the Oregon Board of Psychology, the duties of the Director of the Mental Health Regulatory Agency. [1989 c.721 §14; 1991 c.703 §21; 1993 c.546 §111; 1997 c.269 §4; 1997 c.791 §18; 1999 c.463 §5; 2001 c.120 §6; 2005 c.730 §73; 2007 c.70 §300; 2009 c.697 §6; 2009 c.756 §19; 2017 c.104 §16]

675.795 Board meeting; quorum; per diem; officers. (1) The Oregon Board of Licensed Professional Counselors and Therapists shall meet at least once a year at a place, time and hour

determined by the board. The board also shall meet at other times and places specified when called by the chair of the board or by a majority of the members of the board.

(2) A majority of the members of the board constitutes a quorum. A majority of the members present may take action on behalf of the board unless a different number is provided in the rules of the board.

(3) A member of the board is entitled to compensation and expenses as provided in ORS 292.495.

(4) At the first meeting of each year, the Oregon Board of Licensed Professional Counselors and Therapists shall select from its members a chair and vice chair. Each officer shall have a term of one year with duties and powers the board determines necessary for the performance of the functions the board assigns to the officer.

(5) In the event that the position of any officer becomes vacant, the board shall elect from its members a replacement at its next meeting to serve the unexpired term. [1989 c.721 §§12,13]

675.805 Use of moneys received by board. All moneys received by the Oregon Board of Licensed Professional Counselors and Therapists under ORS 675.715 to 675.835 shall be paid into the General Fund in the State Treasury and placed to the credit of the Oregon Board of Licensed Professional Counselors and Therapists Account, which is hereby established. Such moneys are appropriated continuously to the board and shall be used only for the administration and enforcement of ORS 675.172, 675.715 to 675.835, 676.850 and 676.860. [1989 c.721 §17; 1993 c.546 §112; 2001 c.120 §7; 2013 c.240 §6; 2017 c.104 §17; 2017 c.511 §6]

(Miscellaneous)

675.810 Authorized practice names. A licensee shall practice under one of the following names:

(1) The name of the licensee.

(2) An assumed business name or other designation that describes a place, institution, organization or agency where or in connection with which the licensee conducts practice. [2009 c.549 §7]

675.815 Duty to report prohibited conduct. Unless state or federal laws relating to confidentiality or the protection of health information prohibit disclosure, a licensee who has reasonable cause to believe that a licensee of another board has engaged in prohibited conduct shall report the prohibited conduct as defined in ORS 676.150 in the manner provided in ORS 676.150. [2009 c.536 §6]

(Enforcement)

675.825 Prohibited practices; exceptions; civil penalty. (1) A person may not:

(a) Attempt to obtain or obtain a license or license renewal by bribery or fraudulent representation.

(b) Engage in or purport to the public to be engaged in the practice of professional counseling under the title “licensed professional counselor” unless the person is a licensee.

(c) Engage in or purport to the public to be engaged in the practice of marriage and family therapy under the title of “licensed marriage and family therapist” unless the person is a licensee

(d) Engage in the practice of professional counseling or marriage and family therapy unless:

(A) The person is a licensee, registered intern or graduate student pursuing a graduate degree in counseling or marriage and family therapy; or

(B) The person is exempted from the licensing requirements of ORS 675.715 to 675.835 by subsection (3) of this section.

(e) Provide counseling or therapy services of a psychotherapeutic nature if the person's license to practice as a professional counselor or as a marriage and family therapist has been revoked by the Oregon Board of Licensed Professional Counselors and Therapists because the person engaged in sexual activity with a client.

(2) A licensed psychologist whose license, or a regulated social worker whose authorization to practice regulated social work, was issued prior to October 1, 1991, may use the title "marriage and family therapist."

(3) The licensing requirements of ORS 675.715 to 675.835 do not apply to a person who is:

(a) Licensed, certified, registered or similarly regulated under the laws of this state and who is performing duties within the authorized scope of practice of the license, certification, registration or regulation.

(b) A recognized member of the clergy, provided that the person is acting in the person's ministerial capacity.

(c) Employed by a local, state or federal agency, a public university listed in ORS 352.002 or any agency licensed or certified by the state to provide mental health or health services, if the person's activities constituting professional counseling or marriage and family therapy are performed within the scope of the person's employment.

(d) Authorized to provide addiction treatment services under rules of the Department of Human Services.

(4) Nothing in ORS 675.715 to 675.835 limits or prevents the practice of a person's profession or restricts a person from providing counseling services or services related to marriage and family if the person:

(a) Does not meet the requirements of ORS 675.715 (1)(b); or

(b) Does not practice:

(A) Marriage and family therapy as defined in ORS 675.705 (6)(a); or

(B) Professional counseling as defined in ORS 675.705 (7)(a).

(5) Each violation of this section is a separate violation.

(6) The board may levy a civil penalty not to exceed \$2,500 for each separate violation of this section. [1989 c.721 §18; 1993 c.546 §113; 2009 c.442 §24; 2009 c.549 §9; 2013 c.211 §4; 2019 c.384 §3]

675.835 Injunctive proceedings. (1) The Oregon Board of Licensed Professional Counselors and Therapists may commence injunction proceedings in any circuit court to enjoin violation of ORS 675.825.

(2) In proceedings under this section, the board need not show that any person is injured by the person against whom the injunction is sought.

(3)(a) If the person against whom an injunction is sought under this section is found by the court to have unlawfully used the title "licensed professional counselor" or "licensed marriage and family therapist," a court may grant an injunction barring the person from using the title.

(b) If the person against whom an injunction is sought under this section is found by the court to have unlawfully engaged in the practice of professional counseling or marriage and family

therapy, a court may grant an injunction barring the person from engaging in the unlawful practice.

(4) An injunction under this section is in addition to any other remedies or penalties provided by law. [1989 c.721 §16; 2009 c.549 §10]



BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS

Oregon Administrative Rules Chapter 833

The official copy of an Oregon Administrative Rule is contained in the Administrative Order filed at the Archives Division, 800 Summer St. NE, Salem, Oregon 97310. Any discrepancies with the published version are satisfied in favor of the Administrative Order. The Oregon Administrative Rules and the Oregon Bulletin are copyrighted by the Oregon Secretary of State.

DIVISION 1 - PROCEDURAL

833-001-0000 Notice of Proposed Rulemaking

Prior to the adoption, amendment, or repeal of any rule, the Board of Licensed Professional Counselors and Therapists must:

- (1) Publish notice of the adoption, amendment, or repeal in the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days prior to the effective date.
- (2) Deliver by electronic or postal mail such notice to persons on the Board of Licensed Professional Counselors and Therapists mailing list established pursuant to ORS 183.335(1)(c), and deliver by electronic mail to the legislators specified in 183.335(1)(d) at least 49 days before the effective date of the rule.
- (3) Deliver by electronic mail such notice to the following:
 - (a) United Press International and Associated Press;
 - (b) Oregon Counseling Association;
 - (c) Oregon Chapter of the American Association of Marriage and Family Therapists; and
 - (d) Oregon college and university departments offering graduate degrees in counseling and marriage and family therapy.

833-001-0005 Model Rules of Procedure

The most current Model Rules of Procedure as promulgated by the Attorney General of the State of Oregon under the Administrative Procedures Act, are by this reference adopted as the rules of procedure of the Board of Licensed Professional Counselors and Therapists and must be controlling except as otherwise required by statute or rule.

833-001-0010 Requiring an Answer to Charges as Part of Notices to Parties in Contested Cases

In addition to the requirements stated in OAR 137-003-0000 of the Attorney General's Model Rules of Procedure adopted by 833-001-0005, the notice to parties in contested cases may include a statement that an answer to the assertions or charges will be required, and if so, the consequence of failure to answer. A statement of the consequences of failure to answer may be satisfied by enclosing a copy of 833-001-0015 with the notice.

833-001-0015 Hearing Request and Answers; Consequences of Failure to Answer

(1) A hearing request must be made in writing to the Board by the party or the party's attorney within 21 calendar days after the date the notice was issued.

(2) If an answer is required, it must be made in writing to the Board by the party or the party's attorney within 21 calendar days after the date the notice was issued and must include the following:

(a) An admission or denial of each factual matter alleged in the notice;

(b) A short and plain statement of each relevant affirmative defense the party may have.

(3) Except for good cause:

(a) Factual matters alleged in the notice and not denied in the answer will be presumed admitted;

(b) Failure to raise a particular defense in the answer will be considered a waiver of such defense;

(c) New matters alleged in the answer (affirmative defenses) will be presumed to be denied by the agency; and

(d) Evidence will not be taken on any issue not raised in the notice and the answer.

(4) Contested case hearings are closed to the public.

(5) The Board's disciplinary and suspension cases brought under ORS 675.745 are exempt from the requirements of OAR 137-003-0655(7), which requires an agency to give written notice to the administrative law judge and all parties of the date by which the agency expects to issue an amended proposed order or a final order if the agency will not issue an amended proposed order or final order within 90 days of the proposed order. Due to the complexity of Board cases and the infrequency of regularly scheduled Board meetings, 90 days is an insufficient time for the Board to issue an amended proposed order or a final order.

833-001-0020 Obtaining Information

(1) The Board will provide the following information to members of the public in response to in-person or telephone inquiries regarding a particular applicant, registered intern, or licensee: name, license/registration number, date licensed/registered, if license/registration is active or expired, business address and telephone number, summary of education and experience, and if there are or have been any disciplinary actions proposed by the Board plus the status, disposition, or resolution of the proposed disciplinary actions, unless otherwise subject to or prohibited by law, statute, rule or regulation.

(2) Requests for any information other than that listed in section (1) of this rule, including written verifications of licensure, may be required to be in writing, and may require payment for copies of documents.

(3) Pursuant to ORS 676.175, information regarding complaints against or information obtained through investigations into the conduct of licensees, non-licensed individuals, or applicants for licensure will not be disclosed.

DIVISION 10 - DEFINITIONS

833-010-0001 Definitions

The definitions of terms used in ORS 675.705 to 675.835 and these administrative rules of the Board are:

- (1) “AAMFT” means the American Association for Marriage and Family Therapy.
- (2) “Accredited program” means the graduate program is fully accredited by COAMFTE, CACREP, or CORE.
- (3) “Board” means the Oregon Board of Licensed Professional Counselors and Therapists.
- (4) “Board approved program” means a graduate program that the Board had found to be comparable to an accredited program.
- (5) “CACREP” means the Council for Accreditation of Counseling and Related Educational Programs.
- (6) “CRCC” means the Commission on Rehabilitation Counselor Certification.
- (7) “Client record” means any information maintained in a written or electronic form about a client.
- (8) “Clinical experience” means the professional practice of applying principles and methods to provide assessment, diagnosis, and treatment of individuals and families with mental health disorders.
- (9) “COAMFTE” means the Commission on Accreditation of Marriage and Family Therapy Education.
- (10) “CORE” means the Council on Rehabilitation Education.
- (11) “Direct client contact hours” means only those clinical experience hours that are therapeutic or a combination of assessment and subsequent therapeutic interactions.
- (12) “Distance learning” means coursework, or training that does not involve attending a presentation or program in the presence of the instructor or facilitator and other courses through electronic communication.
- (13) “Distance Services” means any use of technology that replaces face to face delivery of counseling or therapy service. Such technologies include, but are not limited to, use of computer hardware and software, telephones, the internet, online assessment instruments and other communication devices.

(14) “Electronic communication” means communication through use of videoconference, telephone, teleconference, internet, electronic mail, chat-based, or video-based.

(15) "Equivalent" means comparable in content and quality, but not identical.

(16) “Hour Equivalents” means that when requirements for licensure are given in quarter hours, the following formula will be used to determine equivalent hours:

(a) Two semester hours is equal to three quarter hours;

(b) One semester is equal to 1.5 quarters;

(c) One quarter credit hour equals 10 clock hours;

(d) One semester credit hour equals 15 clock hours.

(17) “Intern registration plan” means a written description of post-graduate supervised work experience activities an applicant must complete to qualify for a license as a professional counselor or marriage and family therapist.

(18) “LMFT” means licensed marriage and family therapist.

(19) “LPC” means licensed professional counselor.

(20) “NBCC” means the National Board for Certified Counselors.

(21) "Official transcript" means a document certified by an accredited college or university indicating degree earned, hours and types of coursework, examinations and scores, completed by the student; and submitted by the school to the Board.

(22) "Practicing" means engaging in any of the activities listed in the definitions of marriage and family therapy and professional counseling set forth in ORS 675.705, including but not limited to providing clinical supervision to another mental health professional who is providing counseling or therapeutic services to clients.

(23) "Receipt" means the date received by the Board office as shown by US Postal Service postmark, or date received stamp if document was not mailed or without postmark.

(24) "Regional accrediting agency" means of one of the regional institutional accreditation bodies recognized by the United States Secretary of Education and established to accredit senior institutions of higher education.

(25) "Registered intern" means an applicant for licensure who has met the educational requirement for licensure, and is in the process of obtaining the required supervised work experience under a registration plan approved by the Board.

(26) “Supervision” means a professional relationship between a qualified supervisor and an intern, counselor, or therapist during which the supervisor provides guidance and professional skill development and oversight to the intern, counselor or therapist.

DIVISION 20 - APPLICATION METHODS

833-020-0011 Applications

(1) Application for licensure as a professional counselor and marriage and family therapist must be submitted to the Board and be on forms provided by the Board.

(2) Application for licensure must include gender, date of birth, social security number, practice and residence addresses, email address, similar licenses held in other states, and history of professional discipline, litigation, and criminal involvement and be accompanied by:

(a) The non-refundable application fee;

(b) Official transcript sent directly to the Board from the college or university and supporting documentation as necessary showing education requirements have been met;

(c) Documentation to prove experience requirements have been met or request for registration as an intern with a proposed plan to obtain required experience;

(d) Verification that approved examination has been passed, or state examination is being requested;

(e) Proposed professional disclosure statement for review and approval;

(f) Criminal history information as specified in OAR 833-120-0021; and

(g) Other clarifying information requested by the Board.

(3) Applicants will be allowed one year from Board receipt of an application to file a completed application which documents that the applicant meets the educational requirements and experience qualifications (if applicable) for licensure.

(4) Failure to withdraw the application or complete the process within the allowed time will result in closure of the file. An incomplete application includes but is not limited to an application in which:

(a) Required information or original signatures are not provided;

(b) Required forms are not submitted; or

(c) No fee or an insufficient fee is received.

(5) The Board retains the right to extend the one year period to complete application for good cause.

(6) Applicants who submit complete documentation but are not approved for registration, examination, or licensure will be notified in writing that the application is being denied and state the reason(s) for denial.

(7) To be reconsidered for licensure, applicants who failed to become licensed, who were refused licensure, who withdrew from consideration, or interns who have allowed their registration to expire will be required to file a new application, fee, and resubmit all documentation necessary to meet the standards for licensure in effect at the time of reapplication. Applicants reapplying must fulfill any deficiencies that are the result of changes to requirements that may have been implemented between former and current application.

(8) An applicant must notify the Board immediately, but not less than within 30 days, if any information submitted on the application changes, including but not limited to: name, address, email address, telephone number, complaints, disciplinary actions, litigation, criminal involvement, and employment investigations which results in disciplinary action. Failure to do so may be grounds for denial of the application or revocation of the license, once issued.

833-020-0021 Methods of Application

(1) Applications for licensure must indicate one of the following:

(a) Intern registration method pursuant to OAR 833 Division 50;

(b) Direct method pursuant to OAR 833-020-0041;

(c) Reciprocity method pursuant to OAR 833-020-0051;

(d) Re-licensure method pursuant to OAR 833-020-0061; or

(e) Reapplication method pursuant to OAR 833-020-0071.

(2) Applicants may request permission to change their method of application or license requested without re-application if they do so within the year allowed to complete application.

833-020-0041 Direct Method

(1) The direct method is required for applicants who seek acceptance of supervised clinical experience completed in another jurisdiction or in Oregon before June 30, 2002.

(2) The direct method requires the applicant to document no less than the total minimum number of supervised clinical experience hours required for licensure, all of which must have been completed prior to the date of application for licensure.

(3) Applicants seeking licensure as a professional counselor must meet the requirements specified in OAR 833, division 30.

(4) Applicants seeking licensure as a marriage and family therapist must meet the requirements specified in OAR 833, division 40.

833-020-0051 Reciprocity Method

(1) The reciprocity method is for applicants who seek acceptance of education and supervised clinical experience previously used to obtain a comparable license in another jurisdiction. The reciprocity method requires the applicant to document that the education and experience requirements under which the applicant obtained a comparable license held in another state are equivalent to the standards required for Oregon licensure as a professional counselor or as a marriage and family therapist.

(2) Applicants for licensure by reciprocity must possess a current, active license to practice professional counseling or marriage and family therapy issued by another state credentialing entity. The Board will compare the minimum standards in effect in the other jurisdiction when it granted a license with the current education, clinical experience, and examination standards required for Oregon licensure.

(3) Application for licensure must be submitted to the Board office in accordance with OAR 833-020-0011.

(4) The application must also include an official verification of each healthcare professional license, registration or certification held, sent directly from the credentialing entity, that includes:

- (a) The license type and current status in that state;
- (b) Verification that the license is not temporary, probationary, expired, revoked, or suspended;
- (c) Any history of adverse licensure action (disciplines), including proposed actions; and
- (d) Documentation of the education, clinical experience, and examination requirements for licensure in that state at the time licensure was granted (if applicable).

(5) To be considered equivalent, the applicant's license in the state upon which reciprocity is based must have:

- (a) Required at least a graduate degree in counseling, a graduate degree in marriage and family therapy, or a related degree. A related degree must have systemic coursework for a license as a marriage and family therapist;
- (b) Been issued to an applicant whose qualifying degree meets the educational requirements specified in:
 - (A) OAR 833-030-0011 for licensure as a professional counselor; or
 - (B) OAR 833-040-0011 for licensure as a marriage and family therapist.

- (c) Required passage of a state or national competency exam; and
- (d) Been obtained by a method of application that involved state review of documentation of education and clinical experience under adopted standards, and not obtained through reciprocity; act of portability; mutual recognition; recognition of non-governmental, professional certification or membership; waiver of any of the education, experience, or examination requirements; or "grandparenting".
- (6) The applicant must meet the supervised clinical experience requirements specified in:
 - (a) OAR 833-030-0021 for licensure as a professional counselor; or
 - (b) OAR 833-040-0021 for licensure as a marriage and family therapist.
- (7) The applicant must meet the examination requirements specified in:
 - (a) OAR 833-020-0081 and 833-030-0041 for licensure as a professional counselor; or
 - (b) OAR 833-020-0081 and 833-040-0041 for licensure as a marriage and family therapist.

833-020-0061 Re-Licensure Method

- (1) The re-licensure method is required for applicants who have previously been licensed by the Board. The re-licensure method requires the applicant, as a previous Board licensee, to request a new license with a new license number, but without documenting further supervised clinical experience.
- (2) To be considered for re-licensure, all of the following items must be received from an applicant no more than two years from the expiration date of the prior license:
 - (a) An application for re-licensure, using forms provided by the Board that must include a sworn statement that there is no reason for denial, including that applicant:
 - (A) Has not been subject to any disciplinary action by a professional mental health licensing or certification agency; and
 - (B) Has not been convicted of a crime related to practice within the mental health field.
 - (b) The current application fee plus one current annual renewal fee;
 - (c) Updated professional disclosure statement, statement that the applicant is not currently practicing professional counseling or marriage and family therapy, or request for waiver of the professional disclosure statement; and
 - (d) Report at least the minimum continuing education activities required in OAR Chapter 833, Division 80 completed within two years prior to the date the Board will receive the new application.

(3) To be considered for re-licensure more than two years after the expiration date of the prior license, all of the following items must be received from an applicant:

(a) A new application, using forms provided by the Board, to show compliance with the standards in effect at the time the Board will receive this new application;

(b) The application fee;

(c) Proposed professional disclosure statement, statement that applicant is not currently practicing professional counseling or marriage and family therapy, or request for waiver of the professional disclosure statement; and

(d) Request for examination or proof of passage of a competency examination acceptable to the Board which was passed within 10 years of date of new application.

(4) All applicants for re-licensure must successfully pass the current Oregon law and rules examination.

833-020-0071 Reapplication

(1) Former applicants who reapply for licensure must submit a new, fully completed application form and application fee to the Board.

(2) Applicants may request to transfer previously filed documents to the new application file if the documents have not been destroyed under state records retention schedules and are still in the possession of the Board. Such documents include, but are not limited to, documentation of supervised work experience, examination results, and transcripts.

833-020-0081 Examination

(1) All applicants must pass a competency exam and an Oregon law and rules exam approved by the Board.

(2) Applicants who have passed the competency exam within 10 years prior to applying for licensure are not required to retake the exam.

(3) Applicants applying by the reciprocity method who have passed the exam 10 years or more prior to applying for licensure in Oregon must:

(a) Retake the exam; or

(b) Document completion of continuing education activities which at minimum meet the requirements described in OAR chapter 833, division 80 within the 24 month period prior to application or initial licensure.

(4) For registered interns who have met the experience requirements for licensure, the following will result in denial of the application for licensure and termination of internship registration:

- (a) Failure to register and attempt to pass the competency examination at least once per year;
 - (b) Failure to pass the competency exam within two years of meeting the experience requirements; or
 - (c) Failure to achieve a passing score on the competency examination after taking the exam three times.
- (5) For direct and reciprocity method applicants, the following will result in denial of the application for licensure:
- (a) Failure to document passage of an acceptable competency examination or failure to register and attempt to pass the competency examination at least once per year;
 - (b) Failure to document passage or to pass the competency exam within two years of application; or
 - (c) Failure to achieve a passing score on the competency examination after taking the exam three times.
- (6) The Board will not review a reapplication until at least one year has elapsed from the date of the previous denial. For former registered interns, the Board will only approve a subsequent reapplication under the direct or reciprocity method.
- (7) Applicants must complete and return the Oregon law and rules examination within 30 days of the date the Board sends the examination to the applicant. Failure to complete and return the examination to the Board office will result in closure of the application. To be considered for licensure, the person must reapply pursuant to OAR 833-020-0071.
- (8) The Board may extend the deadline to take an exam for good cause upon written request of the applicant, which must be received or postmarked prior to the exam deadline.

833-020-0200 Temporary Practice Authorization

- (1) The Board may grant a temporary practice authorization to the spouse of a member of the Armed Forces of the United States who is stationed in Oregon as follows:
- (a) Temporary Professional Counselor Authorization may be issued to applicants that possess a current, active license to practice professional counseling in good standing in another state based on a graduate degree.
 - (b) Temporary Marriage and Family Therapist Authorization may be issued to applicants that possess a current, active license practice marriage and family therapy in good standing in another state based on a graduate degree.
 - (c) To qualify for Temporary Practice Authorization, an applicant must be in good standing, with no restrictions or limitations upon, actions taken against, or investigation or disciplinary

action pending against his or her license in any jurisdiction where the applicant is or has been licensed.

(2) A Temporary Practice Authorization issued by the Board is not renewable, and is only valid until the earliest of the following:

- (a) Two years after the date of issuance;
- (b) The date the spouse of the person to whom the temporary practice authorization was issued completes the spouse's term of service in Oregon; or
- (c) The date the person's authorization issued by another state expires.

(3) To apply for a Temporary Practice Authorization, an applicant must submit to the Board's office:

- (a) A complete Temporary Authorization Application;
- (b) A copy of the marriage certificate showing the name of the applicant and the name of the active duty member of the Armed Forces of the United States;
- (c) A copy of the assignment to a duty station located in Oregon by official active duty military order for the spouse named in the marriage certificate; and
- (d) The temporary practice authorization fee. This fee is not refundable, regardless of an applicant's inability to qualify for temporary practice authorization.

(4) All applicants must pass an Oregon law and rules examination pursuant to OAR 833-020-0081 before the authorization will be issued.

(5) Current Information to the Board. An applicant or person who has been granted a temporary practice authorization must provide current contact information to the Board, and must notify the Board within 30 days if any information submitted on the application changes, including but not limited to:

- (a) Public and mailing address;
- (b) Telephone number;
- (c) Electronic mail address;
- (d) Change of name, which must be accompanied by acceptable identification and a copy of the legal document showing the name change;
- (e) Character and fitness information, including complaints, disciplinary actions, employment investigations that lead to termination or resignation, and civil, criminal, or ethical charges;

(f) The status of the license to practice professional counseling or marriage and family therapy in another state; and

(g) The status of the spouse's term of service in Oregon.

DIVISION 30 - REQUIREMENTS FOR LICENSED PROFESSIONAL COUNSELOR

833-030-0011 Educational Requirements for Licensure as a Professional Counselor

To qualify for licensure as a professional counselor under ORS 675.715(1)(b), an applicant must hold a graduate degree from one of the following:

(1) A counseling program approved by the Council for Accreditation of Counseling and Related Educational Programs (CACREP) as of the date the degree was conferred;

(2) A counseling program approved by the Council on Rehabilitation Education (CORE) as of the date the degree was conferred;

(3) A program at an institution of higher learning that was accredited by a regional accrediting agency as of the date the degree was conferred; or

(4) A foreign program that has been evaluated by a credentialing body recognized by the Board. Submission of foreign degree evaluation and cost of the foreign degree qualification determination are the responsibility of the applicant.

(5) A graduate degree under sections (1) or (2) must have included at least two semester credit hours or three credit quarter hours of coursework in the diagnosis of mental disorders.

(6) A graduate degree under sections (3) or (4) must have included all of the following requirements:

(a) At least two years in duration, including at least:

(A) 48 semester credit hours or 72 quarter hours for graduate degrees granted before October 1, 2014; or

(B) 60 semester credit hours or 90 quarter credit hours for graduate degrees granted on or after October 1, 2014.

(b) At least two semester credit hours or three credit quarter hours in each of the following coursework:

(A) Counseling Theory;

(B) Human Growth and Development;

(C) Social and Cultural Foundations;

(D) The Helping Relationship;

(E) Group Dynamics Processing and Counseling;

(F) Lifestyle and Career Development;

(G) Diagnosis of mental disorders;

(H) Research and Evaluation; and

(I) Professional Orientation (Ethics).

(c) At least 16 semester hours or 24 quarter hours of supporting coursework for specialty areas; and

(d) A supervised clinical practicum or internship experience that:

(A) Included at least 600 total clock hours, including 240 direct client contact hours, for graduate degrees granted before October 1, 2014;

(B) Included at least 700 total clock hours, including 280 direct client contact hours, for graduate degrees granted on or after October 1, 2014;

(C) Had supervisory staff with a minimum of a master's degree in the program emphasis and with pertinent professional experience;

(D) Made provision for faculty monitoring of operations;

(E) Kept records of student-client contact hours including summary of student progress by the supervisor;

(F) Had a written agreement with the program and student specifying learning objectives; and

(G) Had a mechanism for program evaluation.

(e) Deficiencies in the credit hour requirements of sections (a), (b) or (c) may be remedied by completing graduate level coursework in the deficient area(s) at a regionally accredited institution.

(f) For reciprocity applicants only, five years or more of licensed clinical experience in another state may substitute for a maximum of 15 semester or 20 quarter credits of academic education required for licensure. Clinical experience may not substitute for diagnosis training.

(g) Deficiencies in the supervised experience requirement of section (d) may be remedied by completion of:

(A) At least 700 clock hours of supervised clinical experience, including 280 direct client contact hours; or

(B) At least five years of full-time post-degree clinical experience.

833-030-0021 Experience Requirements for Licensure as a Professional Counselor

(1) To qualify for licensure as a professional counselor under ORS 675.715(1)(c) and 675.720, an applicant must have completed at least three years, defined as 36 months, of supervised clinical counseling experience.

(2) To qualify for licensure through the internship registration method, supervised clinical experience must meet the requirements of OAR chapter 833, divisions 50 and 130.

(3) To qualify for licensure through direct or reciprocity method, supervised clinical experience must have consisted of no less than 2,400 supervised direct client contact hours of counseling. The supervised clinical counseling experience must have included any combination of the following:

(a) Post-graduate degree supervised experience completed in Oregon prior to June 30, 2002;

(b) Post-graduate degree supervised experience completed in another jurisdiction pursuant to the jurisdiction's laws and rules;

(c) Experience completed while a registered intern with the Board; or

(d) Up to one year of full-time supervised clinical experience and 400 hours of supervised direct client contact completed during the clinical portion of the qualifying graduate degree program.

(4) For reciprocity method applicants only, five or more years of post-license clinical experience may substitute for 1,000 hours of required supervised direct client contact.

(5) Direct client contact hours must have been face to face with a client or clients and/or contact via electronic communication consistent with OAR chapter 833, division 90.

(6) For direct and reciprocity methods, the experience must be a formal arrangement under the supervision of a person who holds a graduate-level state-issued license or registration, as a professional counselor or equivalent as determined by the Board such as a clinical psychologist, clinical social worker, or marriage and family therapist.

833-030-0041 Examination Requirement for Licensure as a Professional Counselor

(1) All applicants for licensure as a professional counselor must pass a competency examination and an Oregon law and rules examination pursuant to OAR 833-020-0081.

(2) To qualify for licensure as a professional counselor under ORS 675.715(1)(d), an applicant must pass, or have passed within ten years prior to the date the application was received by the Board, one of the following competency examinations:

(a) National Counselor Examination;

- (b) National Clinical Mental Health Counselor Examination; or
 - (c) Certified Rehabilitation Counselor Examination.
- (3) Applicants applying via the reciprocity method may meet the competency exam requirements specified in 833-020-0081.
- (4) To qualify to sit for the competency examination, a LPC applicant must:
- (a) Submit an application; and
 - (b) Meet the graduate program and coursework requirements in OAR 833-030-0011.
- (5) Candidates will pay exam and exam administration fees to the prescribed examination providers.
- (6) Passing scores will be:
- (a) Established by the National Board of Certified Counselors for applicants who plan to take the exam after applying for Oregon licensure.
 - (b) Established by the agency verifying passage of its examination for applicants who took a state competency exam before applying for Oregon licensure.
- (7) The Board will notify examinees in writing of the results of their examination.
- (8) Following passage of the approved competency examination, the Board requires passage of an Oregon state law and rules examination with a passing score determined by the Board.

833-030-0051 Documentation of Requirements for Licensure as a Professional Counselor

Applicants for licensure as a professional counselor must document meeting the requirements for licensure as follows:

- (1) Educational requirements by official transcript, and by a completed graduate degree standards form with required attachments if supporting documentation is necessary;
- (2) Experience requirements by submission of attestations from employers or supervisors regarding the setting, hours of experience and supervision received, and background and training of supervisor; and
- (3) Examination requirement by submission of verification an approved examination was taken and passed by the approved testing, licensing, or certification organization, or passage of the state examination.

DIVISION 40 - REQUIREMENTS FOR LICENSED MARRIAGE AND FAMILY THERAPISTS

833-040-0011 Educational Requirements for Licensure as a Marriage and Family Therapist

To qualify for licensure as a marriage and family therapist under ORS 675.715(1)(b), an applicant must hold a graduate degree from one of the following:

(1) A marriage and family therapy program approved by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE) or a marital and family therapy program fully accredited by the Counsel for Accreditation of Counseling and Related Educational Programs (CACREP);

(2) A program at an institution of higher learning that was accredited by a regional accrediting agency as of the date the degree was conferred; or

(3) A foreign program that has been evaluated by a credentialing body recognized by the Board. Submission of foreign degree evaluation and cost of the foreign degree qualification determination are the responsibility of the applicant.

(4) A graduate degree under section (1) must have included at least two semester credit hours or three credit quarter hours of coursework in the diagnosis of mental disorders.

(5) A graduate degree under sections (2) or (3) must have included all of the following requirements:

(a) For graduate degrees granted before October 1, 2014:

(A) At least two years in duration, including at least 48 semester credit hours or 72 quarter credit hours;

(B) At minimum, the following coursework:

(i) Human Development- four semester hours or six quarter hours;

(ii) Marital and Family Theoretical Foundation Studies- two semester hours or three quarter hours;

(iii) Marital and Family Therapy Diagnosis and Assessment, Treatment, Principles and Techniques Studies- eight semester hours or 12 quarter hours;

(iv) Professional Studies- two semester hours or three quarter hours;

(v) Research Methods or Statistics- two semester hours or three quarter hours;

(vi) Supporting Coursework Focusing on the Systems Paradigm for Specialty Areas- 16 semester hours or 24 quarter hours; and

(C) A supervised clinical practicum or internship experience of at least 600 clock hours, including 240 direct client contact hours.

(b) For graduate degrees granted on or after October 1, 2014:

(A) At least two years in duration, including at least 60 semester hours or 90 quarter hours of graduate-level credit;

(B) At minimum, the following graduate-level coursework:

(i) Individual and Family Development- four semester hours or six quarter hours;

(ii) Couple and Family Theoretical Foundation Studies- six semester hours or nine quarter hours;

(iii) Couple and Family Therapy, Treatment, and Techniques Studies- six semester hours or nine quarter hours;

(iv) Diagnosis of mental disorders- two semester hours or three quarter hours;

(v) Diversity studies that include issues related to diversity, power and privilege- two semester hours or three quarter hours;

(vi) Ethical and Professional Studies- two semester hours or three quarter hours;

(vii) Research Methods or Statistics- two semester hours or three quarter hours;

(viii) Supporting coursework focusing on counseling and/or systems approaches- 36 semester hours or 54 quarter hours; and

(C) A supervised clinical practicum or internship experience of at least 700 clock hours with 280 hours of direct client contact.

(c) The program's clinical practicum or internship experience must have:

(A) Had supervisory staff with a minimum of a master's degree in the program emphasis and with pertinent professional experience;

(B) Made provision for faculty monitoring of operations;

(C) Kept records of student-client contact hours including summary of student progress by the supervisor;

(D) Had a written agreement with the program and student specifying learning objectives; and

(E) Had a mechanism for program evaluation.

(e) Deficiencies in the credit hour requirements of sections (a), (b) or (c) may be remedied by completing graduate level coursework in the deficient area(s) at a regionally accredited institution.

(f) Deficiencies in the supervised experience requirement of section (d) may be remedied by completion of:

(A) At least 700 clock hours of supervised clinical experience, including 280 direct client contact hours; or

(B) At least five years of full-time post-degree clinical experience, the majority of which must consist of work in relationship issues.

833-040-0021 Experience Requirements for Licensure as a Marriage and Family Therapist

(1) To qualify for licensure as a marriage and family therapist under ORS 675.715(1)(c) and 675.720, an applicant must have completed at least three years, defined as 36 months, of supervised clinical experience.

(2) To qualify for licensure through the internship registration method, supervised clinical experience must meet the requirements of OAR chapter 833, divisions 50 and 130.

(3) To qualify for licensure through direct or reciprocity method, supervised clinical experience must have:

(a) For those that apply to become a licensed marriage and family therapist before January 2, 2014, consisted of no less than 2,000 supervised direct client contact hours of therapy with at least 1,000 of those hours working with couples and families.

(b) For those who apply to become a licensed marriage and family therapist on or after January 2, 2014, consisted of no less than 2,400 supervised direct client contact hours of therapy with at least 1,000 of those hours working with couples and families.

(c) Included any combination of the following:

(A) Post-graduate degree supervised experience completed in Oregon prior to June 30, 2002;

(B) Post-graduate degree supervised experience completed in another jurisdiction pursuant to the jurisdiction's laws and rules;

(C) Experience completed while a registered intern with the Board; or

(D) Up to one year of full-time supervised clinical experience and 400 hours of supervised direct client contact completed during the clinical portion of the qualifying graduate degree program.

- (4) For reciprocity method applicants only, five or more years of post-license clinical experience may substitute for 1,000 hours of required supervised direct client contact.
- (5) Direct client contact hours must have been face to face with a client or clients and/or contact via electronic communication consistent with OAR chapter 833, division 90.
- (6) For direct and reciprocity methods, the experience must be a formal arrangement under the supervision of a person who is trained specifically in the systemic approach to couples and family therapy and holds a graduate-level state-issued license or registration, as a marriage and family therapist or equivalent as determined by the Board such as a clinical psychologist, clinical social worker, or professional counselor.

833-040-0041 Examination Requirement for Licensure as a Marriage and Family Therapist

- (1) All applicants for licensure as a marriage and family therapist must pass a competency examination and an Oregon law and rules examination pursuant to OAR 833-020-0081.
- (2) To qualify for licensure as a marriage and family therapist under ORS 675.715(1)(d), an applicant must pass, or have passed within ten years prior to the date the application was received by the Board, an approved competency examination.
- (3) The Board prescribes the following as approved competency examinations:
 - (a) The marital and family therapy examination of the Association of Marital and Family Therapy Regulatory Boards (AMFTRB); and
 - (b) The State of California Board of Behavioral Sciences' Marriage and Family Therapist Written Clinical Examination.
- (4) Applicants applying via the reciprocity method may meet the competency exam requirements specified in 833-020-0081.
- (5) To qualify to sit for the competency examination, a LMFT applicant must:
 - (a) Submit an application; and
 - (b) Meet the graduate program and coursework requirements prescribed in OAR 833-040-0011.
- (6) Candidates will pay exam and exam administration fees to the prescribed examination providers.
- (7) Passing scores will be:
 - (a) Established by the AMFTRB for applicants who plan to take the exam after making application for Oregon licensure; or

(b) Established by the agency verifying passage of its examination for applicants who have completed an approved alternative examination.

(8) The Board will notify examinees in writing of the results of their examination.

(9) Following passage of the approved competency examination, the Board requires passage of an Oregon state law and rules examination, with a passing score as determined by the Board.

833-040-0051 Documentation of Requirements for Licensure as a Marriage and Family Therapist

Applicants for licensure as a marriage and family therapist must document meeting the requirements for licensure as follows:

(1) Educational requirements by official transcript, and by a completed graduate degree standards form with required attachments if supporting documentation is necessary;

(2) Experience requirements by submission of attestations from employers or supervisors regarding the setting, hours of experience and supervision received, and background and training of supervisor; and

(3) Examination requirement by submission of verification that an examination was taken and passed by the approved testing, licensing, or certification organization, passage of the state examination.

DIVISION 50 - REGISTERED INTERNS

833-050-0011 Intern Registration Method

The intern registration method is required for applicants who seek acceptance of post-degree supervised clinical experience completed in Oregon after June 30, 2002. The intern registration method requires applicant to obtain Board approval of an internship plan for completing required supervised direct client contact.

833-050-0021 Application for Registration as Intern

(1) An applicant for registration must:

- (a) Meet all registration requirements in effect at the time the application is submitted;
- (b) Request registration on Board approved forms;
- (c) Submit a professional disclosure statement for board approval as part of his or her application;
- (d) Submit an application fee as specified in OAR 833-070-0011;
- (e) Meet the educational requirements for licensure according to OAR 833-030-0011 (LPC Intern) and/or 833-040-0011 (LMFT Intern);
- (f) Agree to complete supervised clinical experience hours to meet the total number of hours required for licensure; and
- (g) Abide by the Board's laws and rules.

(2) Applicants for professional counselor and marriage and family therapist must pay a fee for each license.

(3) Internship status is a transitional step toward licensure and is not intended as a means to avoid licensure. Applicants approved for registration as an intern will have five years to complete the supervised direct client contact hours necessary for licensure or for examination. Failure to meet the experience requirements for licensure within five years will result in expiration of registration and closure of the application file. The intern may petition the Board to allow extension of registration for up to one year beyond the maximum five years if he/she can show good cause for such extension.

(4) Former applicants who re-apply may transfer direct client contact hours accrued under a board-approved plan to their new plan.

833-050-0031 Registered Intern Professional Disclosure Statement

- (1) Registered interns must furnish clients with a copy of a Board-approved professional disclosure statement before providing counseling or therapy. When providing disclosure statements via electronic communication, interns must ensure a means of documenting confirmation of receipt and acknowledgement of the PDS.
- (2) A professional disclosure statement must include the following information about the intern:
- (a) Name, business address and telephone number;
 - (b) Name of the intern's supervisor(s);
 - (c) Philosophy and approach to counseling or marriage and family therapy, including reference to any codes of standards or ethics to which the intern subscribes;
 - (d) Formal education and training, title of highest relevant degree, the school that granted the degree, and major coursework;
 - (e) Supervision requirements;
 - (f) A statement indicating adherence to the Oregon Licensing Board's Code of Ethics set forth in OAR Chapter 833, Division 100;
 - (g) The standard fee for service, including discounted rates or sliding scale and a statement that no fees will be charged and no additional fee will be added to another set fee such as a hospital room daily charge;
 - (h) A bill of rights of clients, including a statement that consumers of counseling or therapy services offered by Oregon licensees have the right:
 - (A) To expect that an intern has met the minimum qualifications of training and experience required by state law;
 - (B) To examine public records maintained by the Board and to have the Board confirm credentials of an intern;
 - (C) To obtain a copy of the Code of Ethics;
 - (D) To report complaints to the Board;
 - (E) To be informed of the cost of professional services before receiving the services;
 - (F) To be assured of privacy and confidentiality while receiving services as defined by rule or law. Licensees must include an explanation of each exception to confidentiality;

(G) To be free from being the object of discrimination on any basis listed in the Code of Ethics while receiving services.

(i) The name, address, telephone number, and email address of the Oregon Board of Licensed Professional Counselors and Therapists; and

(j) A statement indicating the following: “Additional information about this registered intern is available on the Board’s website: www.oregon.gov/oblpc.”

(3) The professional disclosure statement must be accessible to people with disabilities.

(4) Registered interns will assist their clients to understand the information in the professional disclosure statement.

(5) Whenever an intern changes the professional disclosure statement, the new statement must be provided to the Board for approval.

833-050-0041 Intern Professional Disclosure Statement and Informed Consent Waiver

Requests for exemptions to the professional disclosure statement and informed consent distribution requirements must be submitted in writing to the Board. The Board may grant written exemptions if:

(1) Registered intern can satisfy the Board that there is good cause to be exempt from specific requirements; or

(2) The intern is providing crisis response counseling or therapy.

833-050-0051 Intern Registration Plan

(1) Applicants for intern registration must submit an intern plan in the form and manner required by the Board.

(2) The intern plan must include information to show how supervised clinical experience hours will be accrued and that the activities will meet Board requirements for professional counselor and/or marriage and family therapist. The intern plan will include:

(a) Name, addresses, telephone numbers, and email addresses of the parties: intern, supervisor(s), and intern's employer(s) if applicable;

(b) Description of clinical experience: where counseling/therapy will be performed, where supervision will be provided, activities or services performed by intern, content of supervision;

(c) How the intern will meet licensure requirements;

(d) Responsibilities of all parties;

- (e) Agreement of the supervisor, administrator of agency or employer of the intern, and the intern
 - (f) Signatures of all parties; and
 - (g) The fee for supervision, if any. If the supervisor is to be paid for supervision, then payment must be in the form of a per-hour fee.
- (3) An approved intern plan may cover up to three separate practices, such as private practice and employment by two different, autonomous programs.
 - (4) To maintain registration, the intern must meet the conditions in the approved plan.
 - (5) The intern must carry out the registration plan as approved. Changes to the plan must be approved by the Board.
 - (6) The Board has discretion to approve or reject a proposed intern registration plan or to rescind a previously approved plan.

833-050-0061 Effective Dates of Intern Registration

- (1) Initial registration as an intern will be effective when applicant completes the registration process that includes approval of completed request and internship plan.
- (2) An intern must practice under supervision until all license requirements are met and the license is issued.

833-050-0071 Direct Client Contact

- (1) Registered interns must complete at least three years, defined as 36 months, of supervised clinical experience which must include no less than 2,400 hours of supervised direct client contact to qualify for licensure.
 - (a) Registered interns must complete at least 1,000 of the required 2,400 hours direct client contact while in a Board-approved intern work plan.
 - (b) Registered interns may count direct client contact hours acquired outside a registered intern plan as follows:
 - (A) Up to one year of full-time supervised clinical experience and 400 direct client contact hours accrued as part of a graduate degree internship;
 - (B) Post-graduate degree supervised direct client contact hours completed in Oregon prior to June 30, 2002; and

(C) Post-graduate degree supervised direct client contact hours completed in another jurisdiction pursuant to the jurisdiction's laws and rules that meet the direct application method experience requirements.

(2) Applicants for LMFT must accrue 2,400 hours of supervised direct client contact with at least 1,000 of those hours working with couples and families to qualify for licensure.

(3) Applications for dual licensure as professional counselor and marriage and family therapist must meet the requirements for both licenses.

(4) Direct client contact must be face to face with a client or clients and/or contact via electronic communication consistent with OAR 833 division 90.

(5) Registered interns must receive and document supervision for and report all direct client contact hours at places of practice listed as part of their Board-approved plan.

833-050-0081 Supervision

(1) Supervision of direct client contact must take place within the same calendar month as the completed direct client contact hours.

(2) Supervision meetings must take place at least twice per month, and in different weeks.

(3) Supervision meetings must be no less than one hour.

(4) Supervision each month must total at least:

(a) Two (2) hours for months in which 45 or fewer hours of direct client contact are completed;
or

(b) Three (3) hours for months in which 46 or more hours of direct client contact are completed.

(5) In addition to all other reporting requirements, during the first three months of supervision:

(a) At least 25% of the reported monthly supervision hours must be conducted in a professional setting, and in person.

(b) Up to 75% of the reported monthly supervision hours may be conducted through confidential electronic communications.

(6) For the remaining required supervision hours:

(a) At least 25% of the remaining reported supervision hours must be conducted in a professional setting and in person;

(b) Up to 75% of the remaining reported supervision hours may be conducted through confidential electronic communications.

- (7) At least 50% of the required number of monthly supervision hours must be individual supervision 1-to-1.
- (8) Group supervision must meet the following requirements at each meeting.
 - (a) Include no more than six (6) supervisees;
 - (b) Have leadership that does not shift from one supervisor to another; and
 - (c) Not be a staff or team meeting, intensive training seminar, discussion group, consultation session, or quality assurance or review group.
- (9) If in any month an intern does not receive the minimum supervision hours required, no client contact hours would be credited for that month.
- (10) An approved plan for a single practice, such as private practice or employment by one agency offering services at one or more sites, may have no more than two supervisors at any given time.

833-050-0091 Supervisor’s Responsibilities

- (1) The supervisor must:
 - (a) Review and evaluate appropriateness of client population and caseload, individual charts, case records and management, diagnostic evaluation and treatment planning, and methodologies for keeping client confidentiality.
 - (b) Recommend that the intern refer clients to other therapists when client needs are outside the intern’s scope of practice.
 - (c) Ensure that letterhead, business cards, advertisements and directory listings, brochures, and any other representation includes the appropriate title as described in OAR 833-050-0111(1)(a) and the supervisor’s name and designation as “supervisor.”
 - (d) Assist the intern in developing a plan to prepare for and complete the competency exam in a timely manner.
 - (e) Notify the Board within 14 days and explain any significant interruption to supervision or expected termination of the supervisory relationship.
 - (f) Create and maintain for at least three years a record of hours of supervision and notes for each supervision session contemporaneously as supervision occurs, and provide it to the Board within fourteen days of request.
 - (g) Be someone other than a spouse or relative by blood or marriage or a person with whom the intern has or had a personal relationship.
 - (h) Meet registered intern supervisor qualifications as required in OAR chapter 833, division 130.

(i) Submit a written evaluation of the intern’s skills and progress every six months and at the conclusion of the plan. The report must include progress toward completion of the intern’s plan. Supervisors may report to the Board at any time deemed necessary. Reports must be submitted on forms provided by the Board;

(2) If a supervisor has professional or ethical concerns about a supervisee being licensed, the supervisor must promptly notify the Board and provide the following information:

(a) Specific concerns regarding conduct or performance;

(b) Steps taken to address the concerns;

(c) A remedial action plan with measureable outcomes to address the concerns; and

(d) The intern’s progress to address the concerns expressed by the supervisor.

(3) The Board may take any or all of the following actions to address concerns about registered interns:

(a) Identify a new supervisor to work with the intern;

(b) Require an assessment of the intern’s mental and/or physical health;

(c) Require the intern to seek personal therapy;

(d) Extend the internship;

(e) Require additional training for the intern;

(f) Place internship on hold; or

(g) Deny the intern a license.

(4) A supervisor provides supervision only when the supervisor’s professional competence is sufficient to meet the needs of the trainee or intern. A supervisor does not permit a trainee or intern under the supervisor’s supervision to perform, nor purport to be competent to perform, professional services beyond the trainee's or intern's level of training and accepts responsibility for the effects of the actions of the trainee or intern of which they should be aware.

833-050-0111 Intern’s Responsibilities

(1) The intern must:

(a) Indicate registration and use the title "registered intern", "LPC intern", or "LMFT intern" in connection with a practice that is covered by an approved plan. All signed materials, letterhead, business cards, advertisements and directory listings, brochures, and any other representation must include the intern’s appropriate title and the supervisor’s name and designation as “supervisor”.

- (b) Take steps to ensure consistency in supervision throughout the internship.
- (c) Provide the supervisor with a periodic evaluation of all cases and counseling or therapy activities in which the intern is engaged.
- (d) Request approval from the Board to change supervisors more than three times during the internship and provide steps taken to ensure consistency when changing supervisors.
- (e) Submit to the Board reports that include the hours of direct client contact accrued by month for the six-month period.
 - (A) Reports of direct client contact hours and supervisor evaluation are due in the month following each six-month reporting period.
 - (B) If the Board receives the report after the due date, all hours submitted in the report will be denied.
 - (C) The Board may consider exceptions to this rule with documentation of extraordinary circumstances.
- (f) Notify the Board within 14 days and explain any interruptions or proposed termination of supervision or employment.
 - (2) The intern must submit a written request on a board approved form to the Board in order to change the intern plan. Approval of the following changes to the plan are required:
 - (a) Supervision;
 - (b) Employment;
 - (c) Practice locations; and
 - (d) Supervisor(s).
 - (3) A registered intern who files a request to change the internship plan must meet Board requirements in place at the time of the change request.

833-050-0131 Intern Registration Renewal

- (1) An intern must renew registration annually each year following initial registration. Annual renewal is due by the first day of the month of initial registration to be considered timely.
- (2) Registration renewal requires the intern to provide to the Board a renewal fee as established in OAR 833-070-0011, renewal forms, and an updated Professional Disclosure Statement if there have been changes.
- (3) Late Renewal. An intern may renew a registration after the first day of the month but within the renewal month by, in addition to completing the requirement in section (2) above, submitting to the Board the required delinquent fee. If these are not timely submitted, then the internship

will be expired. Expired interns must reapply pursuant to OAR 833-020-0071 in order to practice as an intern or be considered for licensure.

(4) Renewal may be denied if any of the conditions of the plan are not being met.

(5) Interns must renew registration annually until being granted a license or the expiration or denial of intern registration.

833-050-0141 Placing Internship on Hold

(1) Intern may request to place internship on hold for up to 90 days by submitting a written request to the board with explanation of need for being on hold.

(2) Intern must notify the Board within 10 days, in writing, of a plan to return to practice.

(3) If after 90 days, the intern does not submit a plan to return to practice, the internship will expire.

833-050-0151 Termination of Intern Registration Plan

A registered intern may voluntarily resign registration. A resigned registration will constitute withdrawal of application for licensure.

833-050-0161 Current Information to Board

(1) All registered interns must provide current contact information to the Board, including:

(a) Physical residence address and post office box, if applicable;

(b) Electronic mail address;

(c) Home and work telephone numbers; and

(d) An updated, current Professional Disclosure Statement being provided to clients as required above.

(2) Intern must inform the Board office in writing of any changes to information within 30 days of the change.

(3) Interns must submit a change of name form provided by the Board, accompanied by a copy of the legal document showing the name change, within 30 days of the change.

DIVISION 70 - FEES

833-070-0011 Fees

Fees established by the Board of Licensed Professional Counselors and Therapists are as follows:

- (1) Application for licensure — \$175; applicants are also required to pay the actual cost to the Board to conduct a criminal background check.
- (2) Initial license — \$125.
- (3) Annual renewal of license:
 - (a) Active status license — \$165; or
 - (b) Inactive status license — \$100.
- (4) Restoration fees:
 - (a) Delinquent fee for late renewals — \$50;
 - (b) Reactivation of inactive status license — \$125.
- (5) Examination — Candidates will pay exam and exam administration fees to the prescribed examination providers.
- (6) Duplicate license or certificate of licensure — \$5.
- (7) Verification of licensure or examination scores for applicant or licensee to other licensing or certifying agencies — \$10.
- (8) Annual renewal of registration as intern in accordance with OAR 833-120-0011 — \$120.
- (9) Temporary Practice Authorization — \$505.

833-070-0021 Fee Refunds

Fees are nonrefundable, except that overpayment of fees or fees submitted as part of application before required will be refunded.

833-070-0031 Availability of Public Records

- (1) Members of the public may review all Board documents that are public records other than those records that need not be disclosed under law. These documents are on file in the Board's office during regular working hours. Copies of public records are available to the public upon request. Charges for records will be payable in advance or when the materials are received.
- (2) Copies of documents: \$.25 per page.

(3) Documents and other materials will be provided at a fee reasonably calculated to reimburse the Board for actual costs incurred in making records available to the public.

DIVISION 75 - GENERAL LICENSURE PROVISIONS

833-075-0010 Effective and Expiration Dates of Licenses

- (1) Initial licenses will be effective for no more than one year, expiring on the last day of licensee's birth month.
- (2) Date of issue will be the date all qualifications for licensure are met.
- (3) Licenses will not be issued without payment of the required initial license or renewal fees.

833-075-0020 License Renewal/Late Renewal

- (1) Before the Board will renew a license, a licensee must, no more than 45 days before or during the renewal month:
 - (a) Submit a completed renewal form provided by the Board which will include responses to all character and fitness questions and a sworn statement that there is no reason for denial of renewal;
 - (b) Pay the appropriate renewal fee;
 - (c) Submit continuing education information detailing compliance with the requirements, if applicable;
 - (d) Submit an updated professional disclosure statement, if there have been changes or if renewal information indicates that the one on file with the Board contains false, incomplete, outdated or misleading information; and
 - (e) Complete the required healthcare workforce data survey and pay the fee established by the Oregon Health Authority pursuant to ORS 676.410.
- (2) Late Renewal. A licensee may renew a license in the month following the renewal month by, in addition to completing the requirements of section (1) above, submitting to the Board the required delinquent fee. If these are not timely submitted, then the license shall lapse.
- (3) The licensee holds the burden of proof of submission of the items required for renewal. Failure to receive a courtesy reminder from the Board shall not relieve a licensee of the renewal requirements and consequences.
- (4) The Board shall have discretion to waive the delinquent fee in cases of documented hardship.

833-075-0030 Inactive Status

- (1) Inactive status may be granted to licensees who have made a request in writing to the Board. Inactive licensees may not practice professional counseling or marriage and family therapy in the State of Oregon, and are required to reactivate to active status in order to practice.

(2) To reactivate a license from inactive status to active status, the licensee shall submit a written request and fee to the Board.

(a) The licensee must document completion of continuing education activities which at a minimum meet the requirements described in OAR Chapter 833, Division 80 within the 24 month period immediately preceding the requested date of reactivation.

(b) If the license reactivation is to occur more than five years after inactive status was granted, the Board will not reactivate the license until the licensee retakes the Oregon law and rules exam and obtains a passing score.

(c) The residual continuing education requirements from the date of reactivation to the end of the reporting period shall be calculated on a prorated basis.

833-075-0040 Duplicate Licenses

(1) Duplicate licenses or certificates may be obtained by:

(a) Certifying, by signed statement, that the current license or certificate has been lost or destroyed; or

(b) Requesting a duplicate for additional place(s) of business;

(c) In either case, payment of the required fee.

(2) Reproduction of a license or certificate by anyone other than Board staff for use as a license document or for display is prohibited.

833-075-0050 Licensee Professional Disclosure Statement

(1) To be approved by the Board, the professional disclosure statement (PDS) shall include the following information required by this section and ORS 675.755:

(a) The name, address and telephone number of the business;

(b) Philosophy and approach to counseling or marriage and family therapy, including reference to any codes of standards or ethics to which the licensee subscribes;

(c) A statement indicating adherence to the Oregon Licensing Board's Code of Ethics set forth in OAR chapter 833, division 100;

(d) A bill of rights of clients, including a statement that consumers of counseling or therapy services offered by Oregon licensees have the right:

(A) To expect that a licensee or person granted a temporary practice authorization has met the minimum qualifications of training and experience required by state law;

- (B) To examine public records maintained by the Board and to have the Board confirm credentials of a licensee or person granted a temporary practice authorization;
 - (C) To obtain a copy of the Code of Ethics;
 - (D) To report complaints to the Board;
 - (E) To be informed of the cost of professional services before receiving the services;
 - (F) To be assured of privacy and confidentiality while receiving services as defined by rule or law. Licensees and temporary practitioners must include an explanation of each exception to confidentiality;
 - (G) To be free from being the object of discrimination on any basis listed in the Code of Ethics while receiving services.
- (e) Formal education and training, title of highest relevant degree earned, school granting degree, and major coursework;
 - (f) Oregon licensure requirements for continuing education and supervision, as well as any significant post-degree work relating to professional practice;
 - (g) The standard fee for service, including discounted rates or sliding scale and a statement that no fees will be charged and no additional fee will be added to another set fee such as a hospital room daily charge;
 - (h) A statement indicating the following: “Additional information about this counselor or therapist is available on the Board’s website: www.oregon.gov/obl/pct”; and
 - (i) The Board’s name, address, telephone number, and email address.
- (2) Prior to providing services, licensees and persons granted a temporary practice authorization must provide each client with a professional disclosure statement consistent with the content and in a format as specified in section (1). When providing disclosure statements via electronic communication, licensees and temporary practitioners must ensure a means of documenting confirmation of receipt and acknowledgement of the PDS.
 - (3) Licensees and persons granted a temporary practice authorization must make a reasonable effort to assist the client to understand the information presented in the disclosure statement.
 - (4) The professional disclosure statement must be accessible to people with disabilities.
 - (5) Requests for exemptions to the professional disclosure statement and informed consent distribution requirements must be submitted in writing to the Board. The Board may grant written exemptions to:

- (a) Applicants for licensure not practicing professional counseling or marriage and family therapy in Oregon, except those seeking registration as an intern;
- (b) Licensees on inactive status or not practicing professional counseling or marriage and family therapy in Oregon;
- (c) Licensees and temporary practitioners providing crisis response; and
- (d) Licensees and temporary practitioners who have submitted a written request and can satisfy the Board that there is good cause to be exempt from specific requirements.
- (6) If the licensee or person granted a temporary practice authorization fails to provide the statement, the licensee or temporary practitioner may not charge the client a fee for services.
- (7) Whenever a licensee or person granted a temporary practice authorization changes a professional disclosure statement, the new statement must be presented to the Board for approval.

833-075-0060 Current Information to Board

- (1) All licensees must provide current contact information to the Board, including:
 - (a) Physical residence address and post office box, if applicable;
 - (b) Electronic mail address;
 - (c) Home and work telephone numbers; and
 - (d) An updated, current Professional Disclosure Statement being provided to clients.
- (2) Licensees must inform the Board office in writing of any changes to information within 30 days of the change.
- (3) Licensees must submit a change of name form provided by the Board, accompanied by a copy of the legal document showing the name change, within 30 days of the change.

833-075-0070 Client Records

- (1) A licensed professional counselor, licensed marriage family therapist, registered intern, or person granted a temporary practice authorization must:
 - (a) Maintain client records for each client for a minimum of seven years from the date of last service;
 - (b) Ensure that client records are legible;
 - (c) Keep records in a secure, safe, and retrievable condition; and

- (d) Notify the Board if client records have been destroyed or lost.
- (2) At a minimum, client records should be recorded concurrently with the services provided and must include:
 - (a) A formal or informal assessment of the client;
 - (b) Counseling goals or objectives; and
 - (c) Progress notes of therapy or counseling sessions.
- (3) Licensees, interns, and temporary practitioners must disclose to the Board and its agents any client records that the Board and its agents consider germane to a disciplinary proceeding.
- (4) Licensees, interns, and temporary practitioners do not withhold records under their control that are requested by the client solely because payment has not been received for services.

833-075-0080 Custodian of Record

- (1) A licensee, registered intern, or person granted a temporary practice authorization must:
 - (a) Arrange for the maintenance of and access to client records that ensure the client's right to confidentiality and access to records in the event of the death or incapacity of the practitioner;
 - (b) Register with the Board the name and contact information of a custodian of record that will have case files and can make necessary referrals in the event the practitioner becomes incapacitated or dies; and
 - (c) Notify the Board of changes of the custodian of record.
- (2) If the practitioner is an employee of an organization, the organization may be named as the custodian of record.
- (3) The Board will not release the name of the custodian of record except in the following cases:
 - (a) The death or incapacity of the practitioner; or
 - (b) When a client is unable to locate the practitioner.
- (4) A custodian of record under this rule must be a licensed mental health professional licensed under Oregon law, a licensed medical professional, a health care or mental health organization, an attorney, a school, or a medical records company.

833-075-0090 Representation of Credentials

A person may not use the title of “licensed professional counselor” or “licensed marriage and family therapist,” including the abbreviations “LPC” and “LMFT,” unless the person holds a current license issued by the Board.

DIVISION 80 - CONTINUING EDUCATION

833-080-0011 Continuing Education

Licensees must complete approved continuing education and report the hours to the Board on even numbered years as a condition of license renewal.

(1) “Reporting period” means the 24-month period between license renewals that occur in even numbered years.

(2) A "clock hour" for continuing education means one hour spent in a program meeting the requirements for continuing education. Clock hours exclude refreshment breaks, receptions and other social gatherings, and meals that do not include an approved program.

(3) Licensees must complete at least 40 continuing education clock hours within each reporting period.

(4) New licensees:

(a) There is no continuing education reporting required for individuals licensed less than 12 months on their first even numbered year renewal date.

(b) Individuals licensed between 12 and 23 months on their first even numbered year renewal date must report at least 20 clock hours of continuing education.

(c) Individuals licensed 24 or more months on their first even numbered year renewal date must report at least 40 clock hours of continuing education.

(5) There is no continuing education reporting required for licensees on or changing to inactive status.

(6) Licensees’ continuing education must include six clock hours of training in professional ethics and/or Oregon State laws and regulations pertaining to the practice of professional counseling or marriage and family therapy within each reporting period.

(7) For licensees who supervise registered interns, including all licensees on the Supervisor Registry, licensees’ continuing education must include three clock hours of supervision-related training within each reporting period.

(8) For renewal periods beginning January 1, 2017 and later, licensees’ continuing education must include four clock hours of training in cultural competency within each reporting period.

833-080-0021 Continuing Education Waiver

(1) Licensees may request a waiver for meeting the continuing education requirements by submitting a written request on forms provided by the Board.

(2) The Board may grant exemptions in whole or in part, including extension of deadlines, to licensees who cannot timely attend the required hours of training because of a documented medical condition. The licensee must include the following information as part of the request.

- (a) The rationale for a waiver;
 - (b) The nature of the illness or disability;
 - (c) The time period the waiver would cover;
 - (d) A statement as to how the condition prevents participation in continuing education;
 - (e) Signature by the licensee or legal representative; and
 - (f) Signed statement from a healthcare practitioner who is licensed or certified by the state to provide services.
- (3) The Board will notify the licensee in writing whether the request is approved.

833-080-0031 Continuing Education Content

Policy. Continuing education must be a learning activity that contributes directly to the professional competence of the licensee.

(1) Continuing education content must focus on increasing knowledge and/or skills in the following substantive areas relevant to the field:

- (a) Counseling or marriage and family therapy theory & techniques;
- (b) Human development and family studies;
- (c) Social and cultural foundations in counseling or marriage and family therapy;
- (d) The helping relationship;
- (e) Group dynamics;
- (f) Life style and career development;
- (g) DSM diagnosis and assessment;
- (h) Research and evaluation;
- (i) Professional orientation and ethics;
- (j) Professional supervision training;
- (k) Disability and life transitions;
- (l) Substance abuse;

(m) Psychopharmacology;

(n) Diagnosis and treatment of mental health disorders.

(2) The program must be conducted by a qualified instructor or discussion leader, which means a person whose background, training, education, or experience makes it appropriate for the person to make a presentation or lead a discussion on the subject matter.

(3) A record of attendance, such as a certificate of completion, must be obtained.

833-080-0041 Methods of Obtaining Hours

(1) Approvable continuing education credits may be obtained in the following ways:

(a) Continuing education activities with no limits on clock hours:

(A) Attending college or university courses -- 15 clock hours per semester credit and 10 clock hours per quarter credit.

(B) Live seminars, workshops, conferences and/or trainings.

(C) Home study (distance learning), including internet and tele-courses.

(D) Service as an Oregon Board of Licensed Professional Counselors and Therapists member or committee volunteer.

(b) Continuing education activities for which licensees can obtain a maximum of 20 clock hours within a two year reporting period:

(A) Publication activities include:

(i) Five credits per article or review in a refereed journal that is directly related to counseling;

(ii) Five credits per chapter in edited books, 20 credits for authorship of an entire book;

(iii) Five credits per 30 minutes of initial video production directly related to counseling;

(iv) Five credits for reviewing a book proposal; and

(v) Five credits for each year of service on an editorial board of a professional counseling journal.

(B) Professional presentations. Credit is given for the initial research and development of a professional presentation. No credit shall be allowed for repeat presentations unless it is demonstrated that the program content was substantially changed and such change required significant additional study or research. The number of credits given is twice the number of hours spent making the presentation;

(c) Continuing education activities for which licensees can obtain a maximum of 10 clock hours within a two year reporting period:

- (A) Serving as an officer of a state or national counseling organization;
 - (B) Serving as a member of a national certification board;
 - (C) Chairing a national counseling conference or convention; or
 - (D) Receiving supervision for a fee from a supervisor who meets the Board’s standards on supervision. Credit shall only be given to the licensee receiving supervision, not to a licensee providing supervision. No credit shall be given to licensees receiving supervision to fulfill licensure or discipline requirements.
- (2) An approvable continuing education program is one designed and offered by an agency or institution that is recognized as an approved provider of continuing education units, e.g., NBCC-approved programs, to include:
- (a) Academic courses offered in accredited degree counseling or marriage and family therapy programs;
 - (b) Presentations sponsored by counseling related departments of accredited educational institutions; national, regional, state, or local professional organizations or associations; public or private human services agencies or organizations; or individuals that meet all of the following approved provider guidelines:
 - (A) Program is presented by competent individuals as documented by appropriate academic training, professional licensure or certification, or professionally recognized experience. Presenters should have an identifiable involvement with human services;
 - (B) Program meets the professional needs of the licensee’s intended clientele;
 - (C) Program has a minimum duration of one clock hour;
 - (D) Except for non-classroom distance learning, program is offered in a place which is accessible to persons with disabilities;
 - (E) Distance learning program includes mechanism for evaluation, measurement, or confirmation of exchange of information; and
 - (F) Programs approved by organizations such as: National Association of Social Workers, National Board for Certified Counselors, Oregon Psychological Association, Commission on Rehabilitation Counselor Certification, Art Therapy Credentials Board, American Art Therapy Association, American Association for Marriage and Family Therapy, and American Counseling Association.
 - (c) Content of programs are consistent with OAR 833-080-0031.

833-080-0051 Documentation and Submission of Continuing Education

- (1) Licensees must certify to the Board, at the time of annual renewal on even-numbered years, that the continuing education requirements were met by providing a summary list of continuing education activities/courses as described in OAR 833-080-0041.
- (2) Licensees must maintain documentation as proof that the licensee has satisfied the continuing professional education requirements for a minimum of two years after the reporting period. If requested by the Board, licensees will make continuing education records available for inspection.
- (3) Responsibility for documenting the acceptability of the program and the validity of credit rests with the licensee. Documentation must include proof of actual attendance, participation, certification, or completion as well as content, duration, and if relevant, provider as follows:
 - (a) For college or university courses: A copy of a transcript showing satisfactory completion of the course;
 - (b) For seminars, workshops, conferences, trainings, or home study: Dated certificates (originals or copies) of completion of training;
 - (c) Program/activity descriptions, including (but not limited to) written verification of professional services, copies of published works or other proof of publication, letter from president/director of organization in which professional activity was conducted; and
 - (d) Signed statement of professional supervision by the individual providing the supervision.

833-080-0061 Continuing Education Audit and Penalties

- (1) The Board will conduct an audit of the records of randomly selected licensees to verify actual participation, completion, and compliance with standards for content and providers of approved continuing professional education. Failure to maintain or document actual completion of continuing professional education activities claimed, failure to make such records available to the Board for inspection, or falsification of reports may result in disciplinary action by the Board. Audited licensees hold the burden of proof of mailing.
- (2) A licensee selected for the continuing education audit whose hours are deficient, including a licensee's failure to submit complete documentation, is subject to disciplinary action, to include but not limited to the following sanctions:
 - (a) Persons successfully documenting 31-39 hours -- \$250;
 - (b) Persons successfully documenting 21-30 hours -- \$500;
 - (c) Persons successfully documenting 11-20 hours -- \$750;
 - (d) Persons successfully documenting 10 or fewer hours -- \$1,000.
- (3) The civil penalty may not be paid in lieu of training.

(4) Failure to document required hours, or certifying programs or supervision not meeting approval requirements will result in non-renewal or, in the case of discovery after renewal, possible suspension of license.

DIVISION 100 - CODE OF ETHICS

833-100-0011 General Purpose and Scope

(1) The Board adopts the 2014 American Counseling Association (ACA) Code of Ethics as the code of professional conduct.

(2) The ACA code constitutes the standards against which the required professional conduct of professional counselors and marriage and family therapists is measured. It has as its goal the welfare and protection of the individuals and groups with whom counselors and therapists work. This Code applies to the conduct of all licensees, registered interns, persons granted temporary practice authorization, and applicants, including the applicant's conduct during the period of education, training, and employment which is required for licensure. Violation of the provisions of this Code of Ethics will be considered unprofessional or unethical conduct and is sufficient reason for disciplinary action, including, but not limited to, denial of licensure or authorization.

833-100-0012 Preamble

Licensees, interns, persons granted temporary practice authorization, and applicants must:

(1) Accept the obligation to conform to higher standards of conduct in the capacity of a counseling professional. The private conduct of a licensee is a personal matter to the degree that it does not compromise the fulfillment of professional responsibilities.

(2) Respect the traditions of the profession, and refrain from any conduct that would bring discredit to the profession.

(3) Correct, wherever possible, false, misleading, or inaccurate information and representations made by others concerning the person's qualifications, services, or products. Advertisements must not be false, fraudulent, or misleading to the public. Testimonials from current clients are not solicited for advertising or other purposes due to the client's vulnerability to undue influence.

(4) Not engage in any conduct likely to deceive or defraud the public or the Board, or participate in, condone, or become associated with dishonesty, fraud, deceit, or misrepresentation.

833-100-0021 Responsibility

Licensees, interns, persons granted temporary practice authorization, and applicants must:

(1) Abide by the Code of Ethics and all applicable statutes and administrative rules regulating the practice of counseling or therapy or any other applicable laws, including, but not limited to, the reporting of abuse of children or vulnerable adults.

(2) Report to the Board within 30 days any civil lawsuit brought against the licensee, intern, temporary practitioner, or applicant that relates in any way to the licensee, intern, temporary practitioner, or applicant's professional conduct and notifies the Board of any disciplinary action or loss of a mental health professional or state license, certification, or registration.

(3) File a complaint with the Board within 10 days when the licensee, intern, temporary practitioner, or applicant has reason to believe that another licensee, intern, temporary practitioner, or applicant is or has been engaged in conduct that violates law or rules adopted by the Board. This requirement to file a complaint does not apply when the belief is based on information obtained in the course of a professional relationship with a client who is the other counselor or therapist. In that case, the client-therapist confidentiality supersedes the licensee or intern's requirement to report the other therapist. However, this does not relieve a licensee or intern from the duty to file any reports required by law concerning abuse of children or vulnerable adults.

(4) Not initiate, participate in, or encourage the filing of ethics complaints that are unwarranted or intended to harm a counselor/therapist rather than to protect clients or the public.

DIVISION 110 - COMPLIANCE

833-110-0011 Response to Complaints

(1) The Board will review and accept for consideration a complaint filed by any person, group of persons, or the Board on its own action that is specific as to the conduct upon which the complaint is based. A complaint will be rejected if it does not allege a violation for which the Board has the grounds to impose sanctions pursuant to ORS 675.745 or 675.825.

(2) A complaint that a licensee, registered intern, temporary practitioner, or applicant is incompetent or has committed an act or acts in violation of the law or rules adopted by the Board including the Code of Ethics will be considered a complaint of professional misconduct. A complaint that an unlicensed person has practiced or used a title in violation of ORS 675.825 will be considered a complaint of unlicensed practice.

(3) The Board will make forms available to the public and encourage complainants to use the Board's investigation request form. If a complaint is first made in verbal form, or does not contain information substantially equivalent to the Board's form, then the Board's representative may require the complainant to use the Board's form to initiate an investigation. If the complainant is a client or former client of the respondent, then the complainant should sign a release form allowing the Board and its legal counsel access to records and other materials that are the ethical and legal responsibility of the respondent. Refusal by a complainant to comply with this requirement may result in dismissal of the complaint.

(4) Upon receipt of a valid complaint, a complaint file will be opened. A preliminary investigation or review will be conducted to determine if additional investigation and the assignment of additional investigators is necessary, or whether to file a report with the Board recommending the complaint be dismissed without further action. If additional investigation is deemed necessary, then the subject of the complaint will be notified that he/she is under investigation and provided with general information regarding the allegations being investigated. Notification may request a written response.

(5) Failure to cooperate with Board representatives during an investigation constitutes unprofessional conduct which may subject a licensee, intern, temporary practitioner, or applicant to disciplinary action. Cooperation includes:

(a) Submitting client records to the Board's representative, with or without a signed release by the client, for a full investigation of the allegations;

(b) Sending a complete case file to the Board's representative;

(c) Being available for a personal interview with the Board's representative; and

(d) Responding to questions presented by the Board's representative.

(6) The Board may delay approving a licensure application or issuing an intern registration, temporary practice authorization, or license until a complaint has been resolved.

(7) The investigator shall collect evidence and interview witnesses. At the conclusion of the investigation, a report will be filed with the Board in accordance with the timelines and procedures outlined in ORS 676.160–676.180. The report will clearly set forth the issues on which the Board should consider possible action.

(8) The Board will maintain written procedures for handling complaints, which will be available through the Board office.

(9) Complaint and information gathered by investigation into licensee or applicant competency or conduct will be kept confidential in accordance with ORS 676.160–676.180.

(10) Licensees, interns, temporary practitioners, and applicants must comply with the terms of all Board Orders and Agreements. Failure to comply constitutes a violation of ORS 675.745(1)(f) and is grounds for disciplinary action.

833-110-0021 Complaint Disposition

(1) Following review of the investigation report, the Board may:

(a) Dismiss the complaint;

(b) Continue the investigation;

(c) Issue a notice of proposed action;

(d) Propose non-disciplinary action; or

(e) Negotiate a stipulated agreement in lieu of hearing, default, or disciplinary action.

(2) Board discussions will be held in executive session, closed to the public. Decisions as to action will be voted upon during a public meeting, but case numbers will be used. Decisions to propose enforcement action will be made known to the public if adopted by a majority vote of the Board. A notice of intent to propose enforcement action with opportunity for hearing will be issued by the Board Administrator and served upon the applicant or licensee, and may be provided to the complainant.

833-110-0031 Statements to the Board

(1) Licensees, interns, temporary practitioners, and applicants must not make omissions or false, misleading or deceptive statements on any correspondence or form submitted to the Board.

(2) Licensure or temporary practice authorization applicants and renewing licensees and interns must respond completely and truthfully to all of the Board's character and fitness questions. Failure to disclose an arrest or conviction is a violation of ORS 675.825(1)(a) and may result in disciplinary action by the Board.

DIVISION 120 - CRIMINAL HISTORY CHECKS

833-120-0011 Purpose and Scope

(1) The purpose of these rules is to provide for the screening under ORS 181A.195 of licensees, registered interns, and applicants for licensure with the Oregon Board of Licensed Professional Counselors and Therapists to determine if they have a history of criminal behavior such that they would be unable to, or should not be allowed to, perform the services of a Licensed Professional Counselor or Licensed Marriage and Family Therapist.

(2) The following persons (“subject individuals”) must take the steps necessary to complete a nationwide criminal history check under ORS 181A.195:

- (a) All applicants for licensure to the Board in accordance with OAR 833 Division 20; and
- (b) A licensee or registered intern who is the subject of inquiry or investigation by the Board.

833-120-0021 Procedural Requirements

(1) To complete a criminal history check, the Board will require each subject individual to:

- (a) Provide fingerprints pursuant to ORS 181A.170 (additional fingerprints may be required if the initial fingerprints are rejected);
- (b) Provide personal information necessary to obtain the criminal history check pursuant to OAR 125-007-0220; and
- (c) Pay to the Board the actual costs charged by the Oregon State Police (OSP) and the Federal Bureau of Investigation (FBI).

(2) The Board may also request, and the applicant, licensee, or registered intern must provide, the following information:

- (a) Responses to a criminal history questionnaire; and
- (b) Written response to questions by the Board regarding the person’s criminal history.

(3) The Board will make a final fitness determination based on criminal offender information and other factors, pursuant to ORS 181A.195(10)(d) and OAR 125-007-0260 to 125-007-0270.

(4) A subject individual may contest an adverse final fitness determination pursuant to OAR 125-007-0300.

(5) If a subject individual refuses to consent to the criminal records check or refuses to be fingerprinted, the Board will deny the licensure application or revoke the license.

833-120-0041 Record Keeping and Confidentiality

(1) Criminal offender information is confidential under ORS 181A.195(11) and 676.175 and OAR 125-007-0310, and will not be disseminated by the Board except to persons with a demonstrated and legitimate need to know the information, including:

(a) The subject of a fingerprint-based criminal history check may be provided a copy of the results, if requested in writing prior to the completion of the criminal history check process; and

(b) Criminal history information may be used as exhibits during a contested case hearing process.

(2) Information obtained directly from the Law Enforcement Data System will be managed by the Board in accordance with applicable OSP requirements.

(3) Fingerprint cards, if returned to the Board by OSP or the FBI, will be destroyed. No copies, facsimiles, or other materials from which the fingerprints could be reproduced will be maintained by the Board.

(4) Challenges to the accuracy or completeness of criminal background information must be made to the reporting agency and not to the Board.

(5) A person against whom disciplinary action is taken by the Board on the basis of information obtained as the result of a criminal records check conducted pursuant to this rule is entitled to notice and hearing in accordance with the provisions for contested cases in ORS Chapter 183.

DIVISION 130 - REGISTERED INTERN SUPERVISOR REQUIREMENTS

833-130-0010 Registry Established

- (1) Effective September 1, 2010, the Board will establish a Supervisor Registry that consists of licensed professional counselors and licensed marriage and family therapists.
- (2) The Board may approve placement of a licensee on the Supervisor Registry if the licensee is a Supervisor Candidate or an Approved Supervisor.
- (3) Registered interns pursuing licensure will be encouraged to find qualified supervisors from the registry.

833-130-0020 Placement on Supervisor Registry

- (1) To be placed on the Supervisor Registry, an active licensee must submit a request on forms provided by the Board.
- (2) Licensees on inactive status will be denied or removed from placement.
- (3) Licensees may request in writing to be removed from the registry.

833-130-0040 Supervisor Candidates

- (1) Supervisor Candidates must work toward meeting the requirements of an Approved Supervisor. If after five years as a Supervisor Candidate, the candidate has not met Approved Supervisor requirements, the candidate will be removed from the registry.
- (2) To qualify as a Supervisor Candidate, a licensee must meet the following requirements:
 - (a) Hold an active Oregon license as a professional counselor or as a marriage and family therapist;
 - (b) Complete 30 clock hours of post-master's degree supervision training;
 - (c) Successfully pass the Board's law and rules exam; and
 - (d) For supervisors of marriage and family therapist interns only: supervision training that includes systems components.

833-130-0050 Approved Supervisors

- (1) To qualify to supervise registered interns, a licensee who is not on the Supervisor Registry must meet the following requirements:
 - (a) Meet or have previously met all of the requirements to qualify as a Supervisor Candidate per OAR 833-130-0040; and

(b) Hold an active Oregon license as a professional counselor or marriage and family therapist, and:

(A) Have been actively licensed by the Board for at least 3 years; or

(B) Be an Approved Supervisor through the AAMFT or the NBCC Center for Credentialing and Education.

(2) To qualify as in Approved Supervisor for purposes of placement on the Supervisor Registry, in addition to the requirements of section (1) above, the licensee must:

(a) Document at least 12 hours of supervision by a Board Approved Supervisor within the past 2 to 5 years. The licensee may have up to two Approved Supervisors, and both Approved Supervisors must complete an evaluation. Approved supervision may include one on one or group supervision of not more than 6 supervisees; and

(b) Document a minimum of 100 hours between 2 and 5 years of experience supervising at least two registered interns or student interns from Board-Approved Oregon graduate programs.

833-130-0070 Supervisors Not on the Registry

Other mental health professionals may serve as supervisors of registered interns if they meet the following requirements:

(1) Hold a current, active license in Oregon as a mental health professional;

(2) Have been licensed in Oregon as a mental health professional for at least 3 years;

(3) Complete 30 clock hours of post-master's degree supervision training;

(4) Successfully pass the Board's law and rules exam; and

(5) For supervisors of marriage and family therapist interns only: supervision training that includes systems components.

833-130-0080 Discipline Review Process

(1) A proposed supervisor must disclose any history of disciplinary action, which must be reviewed by the Board.

(2) A licensee that receives Board disciplinary action subsequent to placement on the Supervisor Registry must discontinue supervision of registered interns pending discipline review by the Board.

(3) During discipline review, the Board will consider:

(a) Type of violation and imposed discipline;

(b) The passage of time since the violation and discipline;

- (c) Whether discipline was corrective, punitive or both;
 - (d) Compliance with imposed discipline;
 - (e) Results of national health care database search;
 - (f) Whether behavior resulted in harm to clients;
 - (g) Previous complaints resulting in discipline;
 - (h) Results of criminal background check; and
 - (j) Any other information the Board finds relevant.
- (4) At the conclusion of the review, the Board will determine whether to approve or deny:
- (a) The licensee or other mental health professional to provide supervision; and/or
 - (b) The licensee for initial or continued placement on the Supervisor Registry.