



## PERMANENT ADMINISTRATIVE ORDER

**BLPCT 5-2025**

CHAPTER 833

**MENTAL HEALTH REGULATORY AGENCY**

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

**FILED**

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ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Implements Servicemembers Civil Relief Act via new servicemember portability application method and licensure requirements.

EFFECTIVE DATE: 08/06/2025

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### RULES:

833-020-0021, 833-020-0202

AMEND: 833-020-0021

RULE TITLE: Methods of Application

NOTICE FILED DATE: 06/10/2025

RULE SUMMARY: References new servicemember portability application method for licensure applicants.

### RULE TEXT:

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

(a) Associate 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) Servicemember portability method pursuant to OAR 833-020-0202.

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

STATUTORY/OTHER AUTHORITY: ORS 675.785 - 675.835, ORS 676.160 - 676.180

STATUTES/OTHER IMPLEMENTED: ORS 675.785 - 675.835, 50 USC § 4025a

ADOPT: 833-020-0202

RULE TITLE: Servicemember Portability Method

NOTICE FILED DATE: 06/10/2025

RULE SUMMARY: Establishes servicemember portability application process and requirements for licensure as a professional counselor (LPC) and marriage and family therapist (LMFT). Includes definitions, items required for application, criteria for initial and continued licensure, license duration, and scope.

RULE TEXT:

- (1) The servicemember portability method is for United States servicemembers and spouses or domestic partners of servicemembers who relocate their residence to Oregon because of military orders for military service in Oregon.
- (2) The following definitions apply to this rule:
  - (a) "Armed forces" means the United States Army, Navy, Air Force, Marine Corps, and Coast Guard.
  - (b) "Military orders" means a servicemember's official military orders (including orders for separation or retirement), or any notification, certification, or verification from the servicemember's commanding officer, with respect to the servicemember's current or future military duty status.
  - (c) "Scope of practice" means the defined parameters of various duties or services that may be provided by an individual under a license. A person licensed under this rule is subject to all laws and rules that apply to any other Oregon licensed professional counselor or marriage and family therapist.
  - (d) "Servicemember" means a member of the armed forces, the commissioned corps of the National Oceanic and Atmospheric Administration, or the commissioned corps of the Public Health Service.
- (3) The Board may grant a license as follows:
  - (a) Licensure as a professional counselor may be issued to applicants that possess a current license to practice professional counseling in good standing in another state.
  - (b) Licensure as a marriage and family therapist may be issued to applicants that possess a current license practice marriage and family therapy in good standing in another state.
  - (c) To be considered in good standing, an applicant must not:
    - (A) Have been revoked or had discipline imposed by any state;
    - (B) Have any pending investigation related to unprofessional conduct in any state; and
    - (C) Have voluntarily surrendered a license while under investigation for unprofessional conduct in any state.
- (4) Notwithstanding OAR 833-020-0011(2), applicants under the servicemember portability method must submit the following in a form and manner prescribed by the Board:
  - (a) A complete licensure application form;
  - (b) Payment to the Board of the actual costs charged by the Oregon State Police and Federal Bureau of Investigation to complete a criminal history check as required by OAR 833-120-0021(1)(c);
  - (c) Proof of military orders as described in Section (1);
  - (d) For spouses or domestic partners of servicemembers: a copy of the evidence of marriage or domestic partnership (such as marriage certificate or domestic partnership registration) showing the name of the applicant and the name of the servicemember; and
  - (e) An official verification of each healthcare professional license, registration, or certification held, current or expired;
  - (f) A notarized affidavit affirming, under the penalty of law, that:
    - (A) The applicant is the person described and identified in the application;
    - (B) The applicant will maintain their qualifying active license in the other state for the duration of the military orders, including renewal of that license, if applicable;
    - (C) All statements made in the application are true, correct, and complete;
    - (D) The applicant has read and understands the licensure requirements and the scope of practice of an Oregon licensed professional counselor or marriage and family therapist;
    - (E) The applicant meets and will comply with the requirements of Section (D), above; and

- (F) The applicant is in good standing in all states in which the applicant holds or has held a license.
- (5) A license issued under this rule is valid for the duration of the military orders and will expire based on the date the military order expires or is superseded as long as the qualifying license is maintained active and in good standing. A person licensed to practice under this rule is responsible for providing the Board with the military orders ending military service in Oregon or notifying the Board if any event occurs which disqualifies the person from eligibility, such as divorce from the servicemember or the servicemember's separation from military service.
- (6) A person licensed to practice under this rule must disclose to the Board any subsequent disciplinary action or investigation opened against any professional license in any state where they hold an active license, or any subsequent voluntary surrender of active professional license.
- (7) The Board may investigate and take disciplinary action as described in the Board's statutes or rules against a person authorized to practice under this rule for any reason that it may take disciplinary action against any other licensee.
- (8) A person authorized to practice under this rule who wishes to continue practicing in Oregon beyond the duration of their military orders must submit a new licensure application under the appropriate method in OAR 833-020-0021(a)-(c)—excluding the re-licensure method—qualify under all current licensing requirements, and satisfactorily complete the application process.

STATUTORY/OTHER AUTHORITY: ORS 675.785 - 675.835

STATUTES/OTHER IMPLEMENTED: 50 USC § 4025a