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**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 833  
MENTAL HEALTH REGULATORY AGENCY  
OREGON BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS

**FILED**

02/07/2024 8:24 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Reciprocity method licensure application amendments.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 03/21/2024 5:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

*A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.*

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**NEED FOR THE RULE(S)**

The volume of applications for licensure has grown substantially, at average 18.5% per year over the past five years. Challenges related to the reciprocity application process have recently come to the attention of the Board, with frustrated applicants complaining about the complexity and time to document the requirements and become licensed. This process also takes significant staffing resources to verify that requirements are met and respond to complaints. Contributing factors to this issue include increasing refusal by other states to complete license verification forms or provide sufficient information to substantiate reciprocity requirements are met; difficulty verifying supervised clinical experience completed many years ago; complexities of different jurisdictional requirements that evolve over time; and intensive staff work to review detailed requirements for non-programmatically accredited programs. The Board is pursuing these changes to remove barriers to licensure in Oregon and help facilitate interjurisdictional mobility while maintaining strong consumer protection standards consistent with its mission. This proposal is also expected to support quality customer service and cost containment for personnel expenditures as the Board's licensee base continues to increase.

**DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE**

OAR Chapter 833 and ORS Chapter 675 are available on the OBLPCT website at <https://www.oregon.gov/OBLPCT/Pages/LawsRules.aspx>. The Diversity Study prepared by Keen Independent Research, LLC is available on the OBLPCT website at [https://www.oregon.gov/oblpcr/Documents/Diversity\\_Study\\_12-22.pdf](https://www.oregon.gov/oblpcr/Documents/Diversity_Study_12-22.pdf).

**STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE**

This rule amendment is likely to promote racial equity in the state. The Board is pursuing changes that remove unnecessary barriers to licensure in Oregon while maintaining strong consumer protection standards consistent with its

mission. The Diversity Study produced by Keen Independent Research in December 2022 recommended removing unnecessary procedural hurdles related licensing that may cause confusion and/or add little or no value. The Board proposes that policy changes that will result in increased diversity within the counseling and therapy professions will positively affect racial equity in the State.

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FISCAL AND ECONOMIC IMPACT:

None expected.

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COST OF COMPLIANCE:

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

None. Businesses are not subject to this rule. The Board will absorb the minimal costs required to implement these changes within its current staffing levels and budgeted resources.

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DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not directly involved; however members of the Board who developed these amendments represent small businesses.

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WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The proposed amendments are uncomplicated, do not result in fiscal impact, and were openly discussed during one Board committee meeting and one public session full Board meeting where members of the public were invited to address the Board during a public forum. The Board did not determine that an additional committee beyond its Education / Diversity, Equity, and Inclusion Committee, the eight-member Board, and its staff was necessary to develop the rules.

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RULES PROPOSED:

833-020-0051, 833-030-0011, 833-030-0021, 833-040-0011, 833-040-0021

AMEND: 833-020-0051

RULE SUMMARY: Amends qualification and documentation requirements for licensure as a professional counselor or marriage and family therapist for those who hold a comparable license in another state. Removes detailed information gathered from and about other state. Clarifies requirement for and meaning of primary source verification of applications materials.

CHANGES TO RULE:

833-020-0051

Reciprocity Method ¶

~~(1) The reciprocity method is for~~requires applicants ~~who seek acceptance of education and supervised clinical experience previously used to document that they obtained~~ 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~~state in which the requirements 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) current or expired.

(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;~~ and

(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.

(8) Primary source verification is required for application materials. Transcripts, competency examination verification, and supervised clinical experience documentation required in Sections (5) to (7) above is considered primary source verified when received by the Board directly from the following sources:

(a) Supervisor Reference Form from the supervisor (or successor or representative of the employer at which the supervision took place);

(b) Transcript from the degree-granting institution;

(c) File copy from the other jurisdiction(s) in which the applicant is licensed.

Statutory/Other Authority: ORS 675.78~~15~~ - 675.835, ~~676.160~~ - 676.180

Statutes/Other Implemented: ORS 675.78~~15~~ - 675.835

RULE SUMMARY: For reciprocity applicants, amends educational requirements for licensure as a professional counselor by expanding the existing substitution provision to allow three years (reduced from five years) of active licensure in another state to substitute for all specific coursework and supervised experience requirements of non-programmatically accredited programs that are at regionally accredited institutions or foreign programs.

CHANGES TO RULE:

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 ~~three~~ years or more of licensed clinical experience ~~active licensure to practice professional counseling~~ in another U.S. 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 the requirements of Sections (a) through (d) above.¶¶
  - (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.

Statutory/Other Authority: ORS 675.7815 - 675.835, ~~676.160 - 676.180~~

Statutes/Other Implemented: ORS 675.7815 - 675.835

AMEND: 833-030-0021

RULE SUMMARY: For reciprocity applicants, amends experience requirements for licensure as a professional counselor by expanding the existing substitution provision to allow three years (reduced from five years) of active licensure in another state to be presumed to meet the experience requirements with no further documentation required.

CHANGES TO RULE:

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 associate 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 1,900 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 associate (or formerly "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, ~~u~~¶

(a) Up to ~~five~~two years of post-license clinical experience may substitute for a maximum of ~~5~~200 hours of required supervised direct client contact, credited at a rate of 100 hours per full year (12 months) of experience.¶

(b) Applicants who have held an active license as described in OAR 833-020-0051(2) for three or more years in any U.S. state are presumed to have met the experience requirements and no further documentation is required.¶

(5) 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.

Statutory/Other Authority: ORS 675.78~~15~~ - 675.835, ~~676.160~~ - ~~676.180~~

Statutes/Other Implemented: ORS 675.78~~15~~ - 675.835

AMEND: 833-040-0011

RULE SUMMARY: For reciprocity applicants, amends educational requirements for licensure as a marriage and family therapist by allowing three years of active licensure in another state to substitute for all specific coursework and supervised experience requirements of non-programmatically accredited programs that are at regionally accredited institutions or foreign programs. Makes minor rule reference correction.

CHANGES TO RULE:

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.¶

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

(fe) Deficiencies in the supervised experience requirement of section (dc) 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.¶

(f) For reciprocity applicants only, three years or more of active licensure to practice marriage and family therapy in another U.S. state may substitute for the requirements of Sections (a) through (c) above.

Statutory/Other Authority: ORS 675.7815 - 675.835,~~676.160 - 676.180~~

Statutes/Other Implemented: ORS 675.7815 - 675.835



AMEND: 833-040-0021

RULE SUMMARY: For reciprocity applicants, amends experience requirements for licensure as a marriage and family therapist by expanding the existing substitution provision to allow three years (reduced from five years) of active licensure in another state to be presumed to meet the experience requirements with no further documentation required.

CHANGES TO RULE:

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 associate 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 1,900 supervised direct client contact hours of therapy with at least 750 of those hours working with couples and families. The supervised clinical therapy 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 associate (or formerly "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; ~~u~~:¶¶

(a) Up to five two years of post-license clinical experience may substitute for a maximum of 5200 hours of required supervised direct client contact, credited at a rate of 100 hours per full year (12 months) of experience.¶¶

(b) Applicants who have held an active license as described in OAR 833-020-0051(2) for three or more years in any U.S. state are presumed to have met the experience requirements and no further documentation is required.¶¶

(5) 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.

Statutory/Other Authority: ORS 675.7815 - 675.835, ~~676.160-676.180~~

Statutes/Other Implemented: ORS 675.7815 - 675.835