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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**

12/09/2021 1:01 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Suicide risk continuing education requirement

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 01/24/2022 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 Oregon State Legislature passed House Bill 2315 during the 2021 Legislative Session, imposing the new suicide risk continuing education requirement on professional licensing board licensees, including the Board of Licensed Professional Counselors and Therapists. The Board must now amend its rules to carry out this new mandate.

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>. Information about House Bill 2315 can be found on the Oregon State Legislature website at <https://olis.oregonlegislature.gov/liz/2021R1/Measures/Overview/HB2315>.

FISCAL AND ECONOMIC IMPACT:

Minimal or none. This does not increase the total 40 credits of continuing education required for licensees. It is unclear whether cost of suicide risk training is more or less than other two hours of trainings licensees may have otherwise completed.

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.

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 amendment is uncomplicated and addresses a specific legislative mandate. The Board did not determine that an additional committee beyond the eight-member Board and its staff was necessary to develop the rules.

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AMEND: 833-080-0011

RULE SUMMARY: This amendment adds a new requirement for licensees to complete two credits of continuing education dedicated to the topic of suicide risk assessment, treatment, and management. It also reorganizes some language for clarity.

CHANGES TO RULE:

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. For the even numbered years of 2020 and 2022, "reporting period" means the 48-month period between renewals that occur in 2018 and 2022. There is no reporting to occur in the year 2020.¶¶

(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. For the reporting period between 2018 and 2022 renewals, licensees must complete at least 80 clock hours of continuing education, reported in 2022.¶¶

(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. New licensees whose first reporting period would be in 2020 must report at least 40 clock hours of continuing education in 2022.¶¶

(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. New licensees whose first reporting period would be in 2020 must report at least 60 clock hours of continuing education in 2022.¶¶

(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. New licensees whose first reporting period would be in 2020 must report at least 80 clock hours of continuing education in 2022.¶¶

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

~~(6) Licensees' continuing education must include:~~ Licensees must complete the following minimum continuing education requirements in each reporting period:¶¶

~~(a) 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.~~ For the reporting period between 2018 and 2022 renewals, licensees must complete at least 12 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.¶¶

~~(7b) For licensees who supervise registered associates, including all licensees on the Supervisor Registry; licensees' continuing education must include:~~ three clock hours of supervision-related training ~~within each reporting period.~~ For the reporting period between 2018 and 2022 renewals, licensees who supervise registered associates and licensees on the Supervisor Registry must complete at least six clock hours of supervision-related training.¶¶

~~(8) Licensees' continuing education must include:~~ (c) Four clock hours of training in cultural competency within each reporting period. For the reporting period between 2018 and 2022 renewals, licensees must complete at least eight clock hours of training in cultural competency.¶¶

(d) Two clock hours of training dedicated to the topic of suicide risk assessment, treatment, and management.

Statutory/Other Authority: ORS 675.785 - 675.835, 676.160 - 676.180

Statutes/Other Implemented: ORS 675.785 - 675.835