



**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**

10/28/2025 1:04 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Establishing a schedule of violations per House Bill 2016.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 11/25/2025 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.*

CONTACT: LaRee Stashek  
503-378-5499  
laree.stashek@mhra.oregon.gov

3218 Pringle Road SE, Ste. 120  
Salem, OR 97302

Filed By:  
LaRee Stashek  
Rules Coordinator

**NEED FOR THE RULE(S)**

The Board must carry out the mandate of House Bill 2016, which passed during the 2025 Regular Legislative Session and takes effect on January 1, 2026.

**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>. House Bill 2016 may be found on the Oregon Legislative Information System at <https://olis.oregonlegislature.gov/liz/2025R1/Measures/Overview/HB2016>.

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

No impact is expected, as this rulemaking only establishes definitions in accordance with law.

**FISCAL AND ECONOMIC IMPACT:**

None.

**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 costs required to implement these changes within its current staffing levels and budgeted resources.

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

Small businesses were not explicitly involved.

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

The proposed rule adoption was openly discussed during the October 24, 2025 public session full Board meeting where members of the public were invited to address the Board during a public forum. The rulemaking is required and constrained by legislation such that an additional committee beyond the eight-member Board and Agency staff would not add value to the creation of this rulemaking proposal.

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ADOPT: 833-110-0081

RULE SUMMARY: Establishes a schedule of violations that applies to penalties imposed by the Board on licensees or registered associates.

CHANGES TO RULE:

833-110-0081

Schedule of Violations

Pursuant to 2025 Or Laws ch. 373, the following schedule of violations applies to penalties imposed by the Board on licensees or registered associates.¶

(1) "Greater or similar violation" means a violation for which the Board imposes suspension, revocation, or refusal to renew on an existing license or registration.¶

(2) "Lesser or similar violation" means any violation under ORS 675.745 that is not a "greater or similar violation" or a "permanent denial of a license."¶

(3) "Licensee or registered associate," for purposes of this rule, means a person who was licensed by or registered with the Board within two years prior to the conduct which formed the basis for the violation or denial.¶

(4) "Permanent denial of a license" means the denial of a licensure application that includes a term that disallows the person from ever reapplying for licensure with the Board

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

Statutes/Other Implemented: 2025 Or Laws ch. 373