

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

FILED
2-1-16 7:25 PM
ARCHIVES DIVISION
SECRETARY OF STATE

I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on 01/29/2016 by the
Board of Psychologist Examiners 858

Agency and Division Administrative Rules Chapter Number
LaRee' Felton (503) 373-1196

Rules Coordinator Telephone
3218 Pringle Rd. SE, Suite 130, Salem, OR 97302

Address

To become effective Upon filing. Rulemaking Notice was published in the November 2015 Oregon Bulletin.

RULE CAPTION

Notice of proposed rule procedures, good cause application extension, and reapplication after revocation.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:

858-010-0007, 858-010-0020

REPEAL:

RENUMBER:

AMEND AND RENUMBER:

Statutory Authority:

ORS 675.010 - 675.150

Other Authority:

Statutes Implemented:

ORS 675.110

RULE SUMMARY

The proposed rulemaking requires the Board of Psychologist Examiners (Board) to no longer mail a copy of continuing education-related rulemaking notices to the State Board of Higher Education (which no longer exists), but instead to mail notice to the State Higher Education Coordinating Commission. It also removes language already specified in ORS 183.360. The Board proposes that it will not review a subsequent application for licensure for at least two years after a license revocation or surrender under investigation, and clarifies that an applicant's active application period may be extended for good cause.

LaRee' Felton

Rules Coordinator Name

laree.felton@state.or.us

Email Address

BOARD OF PSYCHOLOGIST EXAMINERS

DIVISION 10

PROCEDURAL RULES

858-010-0007

Notice of Proposed Rule

Prior to the adoption, amendment, or repeal of a permanent rule, the Board of Psychologist Examiners shall give notice of the proposed adoption, amendment, or repeal:

- (1) In the Secretary of State's Bulletin pursuant to ORS 183.360;
- (2) By mailing or emailing a copy of the notice to individuals on the Board's mailing list established pursuant to ORS 183.335(8);
- (3) By mailing or emailing a copy of the notice to the following individuals, organizations, or publications:
 - (a) All licensees of the Board;
 - (b) Oregon Psychological Association; and
 - (c) All applicants for licensure.
- (4) Prior to the adoption, amendment, or repeal of any rule of the Board relating to continuing education, the Board shall additionally mail a copy of the notice to the State Higher Education Coordinating Commission.

Stat. Auth.: ORS 675.010 - 675.150

Stats. Implemented: ORS 675.110

Hist.: PE 13, f. & ef. 9-15-76; PE 1-1990, f. & cert. ef. 2-16-90; PE 2-1991, f. 8-15-91, cert. ef. 8-16-91; PE 4-1993, f. & cert. ef. 7-19-93; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 1-2011, f. & cert. ef. 1-25-11

858-010-0020

Process and Disposition of Application for License

(1) Application Review Procedure. When the application and all of the required supporting documents have been received, the application file shall be reviewed for eligibility. The reviewer shall either:

(a) Approve the application. When the reviewer determines the application is complete, a letter of approval shall be sent notifying the applicant of eligibility to take the EPPP and the Jurisprudence examination and to enter into a Resident Supervision Contract.

(b) Deny the application. If the application is denied, the reviewer shall send the applicant a letter stating the reason.

(c) Board review. Under unusual circumstances, the application will be reviewed by the full Board for determination of disposition.

(d) Incomplete Application. If the application is incomplete, the reviewer shall notify the applicant.

(e) Request for Review. Applicants for licensure may request, in writing, that any decision by the reviewer be reconsidered by the Board.

(2) Active Application Period.

(a) An incomplete application is missing one or more of the items required under the applicable application procedure of OAR 858-010-0016 or 858-010-0017. The Board shall maintain an incomplete application file for one year from the date the application was received.

(b) A complete application has been approved by the reviewer, but the candidate for licensure has not completed the remaining requirements for licensure: the post-degree supervised work experience, the EPPP, and/or the Oregon Jurisprudence Exam. The Board shall maintain a complete application file for two years from the date the application was approved.

(c) A file shall be presumed inactive and archived if correspondence from the Board is returned by the post office for reasons other than post office error.

(3) The Board may extend the active application period for good cause upon written request of the applicant, which must be received or postmarked prior to the expiration date. Failure to receive a courtesy reminder notice from the Board shall not relieve an applicant of the responsibility to timely request an extension.

(4) Reapplication. If an application for licensure has been denied by the Board for any reason, the Board will not review a second application until at least one year has elapsed from the date of the previous denial. If a license has been revoked by the Board or surrendered under

investigation for any reason, the Board will not review a subsequent application for licensure until at least two years has elapsed from the effective date of the order.

(5) Information Changes. An applicant must notify the Board immediately if any information submitted on the application changes, including but not limited to: name; address, email address, and telephone number; complaints; disciplinary actions; and, civil, criminal, or ethical charges and employment investigations which lead to termination or resignation. Failure to do so may be grounds for denial of the application or revocation of the license, once issued.

Stat. Auth.: ORS 675.040, 675.045 & 675.050

Stats. Implemented: ORS 675.040(1)(2)(3), 675.045(1)(2)(a)(b), 675.050(1)(a)(b)(2)

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 2-1989, f. & cert. ef. 5-24-89; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 3-2011, f. & cert. ef. 9-27-11; BPE 2-2012, f. & cert. ef. 6-8-12; BPE 3-2013, f. & cert. ef. 9-30-13