



Sexual Offense Treatment Board

OREGON REVISED STATUTES
(UNOFFICIAL COPY)
CHAPTER 675.365 – 410
& 676.992
2023 EDITION



HEALTH LICENSING OFFICE

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CERTIFIED SEXUAL OFFENSE THERAPISTS

(Generally)

675.365 Definitions for ORS 675.365 to 675.410. As used in ORS 675.365 to 675.410:

- (1) “Certified associate sexual offense therapist” means a person who is certified under ORS 675.375 or 675.380 to provide services for the treatment and rehabilitation of persons described in ORS 675.368 while under the direct supervision of a certified clinical sexual offense therapist.
- (2) “Certified clinical sexual offense therapist” means a person who is certified under ORS 675.375 or 675.380 to provide services for the treatment and rehabilitation of persons described in ORS 675.368 and who may supervise certified associate sexual offense therapists, certified secondary clinical sexual offense therapists and certified sexual offense therapist interns.
- (3) “Certified secondary clinical sexual offense therapist” means a person who is certified under ORS 675.375 or 675.380 to provide limited services for the treatment and rehabilitation of persons described in ORS 675.368 under the direct supervision of a certified clinical sexual offense therapist.
- (4) “Certified sexual offense therapist” means a certified clinical sexual offense therapist, a certified associate sexual offense therapist, a certified secondary clinical sexual offense therapist or a certified sexual offense therapist intern.
- (5) “Certified sexual offense therapist intern” means a person who:
 - (a) Has not completed the supervised clinical experience and training required to be a certified associate sexual offense therapist; and
 - (b) Is certified under ORS 675.375 to provide services for the treatment and rehabilitation of persons described in ORS 675.368 while under the direct supervision of a certified clinical sexual offense therapist.
- (6) “Direct supervision” means a minimum number of hours of supervision by a certified clinical sexual offense therapist required under ORS 675.375.
- (7) “Professional disclosure statement” means a statement about an applicant for certification under ORS 675.375 or 675.380 that includes the following information:
 - (a) Name, business address and telephone number;
 - (b) Philosophy and approach to treatment and rehabilitation of persons described in ORS 675.368;
 - (c) Formal education and training;
 - (d) Continuing education experience and name of supervisor, if any;
 - (e) Fee schedules for sexual abuse specific treatment services; and
 - (f) The name, address and telephone number of the Sexual Offense Treatment Board.
- (8) “Sexual abuse specific treatment” means the process of evaluation, assessment and reformation of persons described in ORS 675.368. [2007 c.841 §2; 2009 c.595 §1050; 2009 c.701 §4; 2017 c.421 §1; 2019 c.68 §1]

Note: 675.365 to 675.410 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 675 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

675.368 Application of ORS 675.365 to 675.410. ORS 675.365 to 675.410 apply to the provision of sexual abuse specific treatment to any person, regardless of whether the person:

- (1) Self-refers for sexual abuse specific treatment;

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- (2) Has been convicted or adjudicated of a sex crime, as defined in ORS 163A.005, or a sexual offense, as provided in ORS 163.305 to 163.467, and mandated by a court, a releasing authority, including the Oregon Youth Authority, or the Oregon Health Authority to successfully complete a sexual abuse specific treatment program;
- (3) Has been referred for sexual abuse specific treatment by:
 - (a) The Department of Human Services;
 - (b) A district school board, public charter school or public or private institution of post-secondary education; or
 - (c) A county program for aging persons, persons with disabilities and veterans; or
- (4) Has been referred for sexual abuse specific treatment prior to trial on a criminal charge. [2017 c.421 §3]

Note: 675.368 was added to and made a part of 675.365 to 675.410 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

675.370 Unauthorized practice or use of title prohibited. (1) A person may not:

- (a) Engage in the practice of sexual abuse specific treatment or assume or use any title, words or abbreviations, including the title or designation “certified clinical sexual offense therapist,” “certified associate sexual offense therapist,” “certified secondary clinical sexual offense therapist” or “certified sexual offense therapist intern,” that indicate that the person is authorized to engage in the practice of sexual abuse specific treatment unless the person holds a certificate issued under ORS 675.375 or 675.380.
- (b) Attempt to obtain a certificate or renewal of a certificate under ORS 675.365 to 675.380 by bribery or fraudulent representation.
- (2) Each violation of subsection (1) of this section is a separate violation. [2007 c.841 §§3,11; 2013 c.314 §55; 2017 c.421 §4; 2019 c.68 §2]

Note: See note under 675.365.

(Certification)

675.375 Certification; requirements. (1) To obtain certification as a clinical sexual offense therapist, associate sexual offense therapist, secondary clinical sexual offense therapist or sexual offense therapist intern, an applicant must complete an application developed and prescribed by the Sexual Offense Treatment Board and file a professional disclosure statement with the Health Licensing Office. The documents must be accompanied by the applicable fees established under ORS 676.576.

- (2) Subject to the provisions of ORS 676.612, the office may issue four types of certification to qualified applicants under this section:
 - (a) Clinical sexual offense therapist;
 - (b) Associate sexual offense therapist;
 - (c) Secondary clinical sexual offense therapist; and
 - (d) Sexual offense therapist intern.
- (3) To qualify as a certified clinical sexual offense therapist, the applicant must:
 - (a) Be in compliance with applicable provisions and rules adopted by the office;
 - (b) Have at least a master’s degree in the behavioral sciences;

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(c) Have an active Oregon mental health professional license or equivalent license as determined by the office;

(d) Within not more than six years prior to application, have had a minimum of 2,000 hours of direct clinical contact with persons described in ORS 675.368, including:

(A) 1,000 hours of direct treatment services; and

(B) 500 hours of evaluations; and

(e) Have a minimum of 60 hours of formal training applicable to sexual abuse specific treatment and evaluation, achieved within the six years prior to application.

(4) To qualify as a certified associate sexual offense therapist, the applicant must:

(a) Be in compliance with applicable provisions and rules adopted by the office;

(b) Have at least a bachelor's degree in the behavioral sciences;

(c) Have had a minimum of 1,000 hours of direct clinical contact with persons described in ORS 675.368;

(d) Have a minimum of 30 hours of formal training applicable to sexual abuse specific treatment and evaluation, achieved within the three years prior to application; and

(e) Be under the direct supervision of a certified clinical sexual offense therapist.

(5) To qualify as a certified secondary clinical sexual offense therapist, the applicant must:

(a) Be in compliance with applicable provisions and rules adopted by the office;

(b) Have at least a master's degree in the behavioral sciences;

(c) Have an active Oregon mental health professional license or equivalent license as determined by the office or be a registered intern or associate for a mental health professional licensed in Oregon;

(d) Have a minimum of 15 hours of formal training applicable to sexual abuse specific treatment and evaluation, achieved within the three years prior to application;

(e) Be under the direct supervision of a certified clinical sexual offense therapist; and

(f) Provide sexual abuse specific treatment services to not more than nine clients in a calendar month, unless the applicant is accruing hours to qualify for application as a certified associate sexual offense therapist.

(6) To qualify as a certified sexual offense therapist intern, the applicant must:

(a) Be in compliance with applicable provisions and rules adopted by the office;

(b) Have at least a bachelor's degree in the behavioral sciences; and

(c) Be under the direct supervision of a certified clinical sexual offense therapist.

(7)(a) A certified associate sexual offense therapist and a certified sexual offense therapist intern must obtain:

(A) A minimum of two hours of direct supervision, at least one hour of which must be individual supervision, in a month if the certified associate sexual offense therapist or certified sexual offense therapist intern has 45 or fewer hours in the month of direct clinical contact with a person described in ORS 675.368.

(B) A minimum of three hours of direct supervision, at least 90 minutes of which must be individual supervision, in a month if the certified associate sexual offense therapist or certified sexual offense therapist intern has more than 45 hours in the month of direct clinical contact with a person described in ORS 675.368.

(b) A certified secondary clinical sexual offense therapist must obtain at least two hours of direct supervision for every 10 hours of direct clinical contact with a person described in ORS 675.368.

[2007 c.841 §4; 2009 c.701 §5; 2013 c.314 §56; 2013 c.568 §11; 2017 c.421 §5; 2019 c.68 §3; 2021 c.677 §13]

Note: See note under 675.365.

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https://www.oregonlegislature.gov/bills_laws or call 1-800-332-2313.

675.380 Reciprocal certification. Upon receipt of an application and the applicable fees established under ORS 676.576, the Health Licensing Office shall certify a clinical sexual offense therapist, associate sexual offense therapist or secondary clinical sexual offense therapist if the applicant provides evidence to the satisfaction of the office that the applicant is recognized as a clinical sexual offense therapist, associate sexual offense therapist or secondary clinical sexual offense therapist in another state in which the requirements for recognition are, in the judgment of the office, in consultation with the Sexual Offense Treatment Board, at least equivalent to the requirements of ORS 675.365 to 675.410 and rules of the office. [2007 c.841 §5; 2013 c.314 §57; 2013 c.568 §12; 2017 c.421 §6; 2019 c.68 §4]

Note: See note under 675.365.

675.382 Exceptions from requirements of ORS 675.365 to 675.410. ORS 675.365 to 675.410 do not apply to:

(1) A student enrolled in an approved educational program who is pursuing a graduate degree in a mental health field, if the student provides sexual abuse specific treatment services only for academic credit as part of an organized and supervised training program.

(2) A person employed by a local, state or federal government agency, community mental health program or drug and alcohol treatment program licensed or certified in this state, if the person's activities and services are performed and provided within the person's scope of employment.

(3) A person who is a recognized member of the clergy, if the person is acting in the person's capacity as a member of the clergy. [2017 c.421 §11; 2019 c.68 §5]

Note: See note under 675.365.

675.384 Exception from mental health professional licensure requirement. A person who engages in the practice of sexual abuse specific treatment as a certified clinical sexual offense therapist, and who did not hold an active Oregon mental health professional license or equivalent license as determined by the Health Licensing Office as of the date of the person's initial certification, may continue to engage in the practice of sexual abuse specific treatment as a certified clinical sexual offense therapist only if the person obtains an Oregon mental health professional license or equivalent license as determined by the office not later than January 1, 2021. [2017 c.421 §12; 2019 c.68 §6]

Note: See note under 675.365.

675.385 Disciplinary authority of Health Licensing Office; grounds for discipline; authorized sanctions. (1) In the manner prescribed in ORS chapter 183 for contested cases, and at the direction of the Sexual Offense Treatment Board, the Health Licensing Office may impose a form of discipline listed in ORS 676.612 against a certified clinical sexual offense therapist, certified associate sexual offense therapist, certified secondary clinical sexual offense therapist or certified sexual offense therapist intern for any of the grounds listed in ORS 676.612 and for any violation of the provisions of, or rules adopted under, ORS 675.365 to 675.410.

(2) The office may impose disciplinary sanctions against a certified clinical sexual offense therapist, certified associate sexual offense therapist, certified secondary clinical sexual offense therapist or certified sexual offense therapist intern for any of the following reasons:

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(a) The person was convicted of violating ORS 675.390, or of a felony or misdemeanor that brings into question the person's competence or integrity as a certified clinical sexual offense therapist, certified associate sexual offense therapist, certified secondary clinical sexual offense therapist or certified sexual offense therapist intern.

(b) The person's mental health professional license, or equivalent license, has been revoked, suspended or restricted by the issuing authority.

(c) The person has violated ORS 675.370 (1), or any rules adopted by the office pertaining to certification.

(d) The person has failed to file or has filed a false, misleading or incomplete professional disclosure statement with the office.

(e) The person has practiced beyond the scope of the person's certification under ORS 675.380. [2007 c.841 §6; 2013 c.568 §13; 2017 c.421 §7; 2019 c.68 §7]

Note: See note under 675.365.

675.390 Confidentiality of communication by clients; exceptions. A certified sexual offense therapist, or any employee of a certified sexual offense therapist, may not disclose any communication made by a client during the course of noninvestigatory professional treatment or rehabilitation, except:

(1) When the client or a person authorized to act on behalf of the client gives consent to the disclosure;

(2) When the client initiates legal action or makes a complaint against a sexual offense therapist to the Sexual Offense Treatment Board;

(3) When the communication reveals the intent to commit a crime harmful to the client or others;

(4) When the communication reveals that a minor may have been a victim of a crime or physical, sexual or emotional abuse or neglect; or

(5) To juvenile and adult parole and probation officers supervising the client under a mandated sex offender treatment condition imposed by a court or releasing authority. [2007 c.841 §9; 2019 c.68 §9]

Note: See note under 675.365.

(Board)

675.395 Sexual Offense Treatment Board. (1) The Sexual Offense Treatment Board is established within the Health Licensing Office. The board shall consist of seven members appointed by the Governor from lists of recommended persons submitted as provided in subsection (2) of this section. All members of the board must be residents of this state.

(2) Of the members appointed to the board:

(a) Two shall be from a list submitted by the Oregon Association for the Treatment of Sexual Abusers;

(b) Two shall be from a list submitted by the Oregon Adolescent Sex Offending Treatment Network or a successor organization;

(c) One shall be from a list submitted by the Oregon Association of Community Corrections Directors;

(d) One shall be from a list submitted by the Oregon Juvenile Department Directors Association; and

(e) One shall be from a list submitted by a victims' advocacy organization.

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(3) The term of office of each member is four years, but a member serves at the pleasure of the Governor. Vacancies shall be filled by the Governor by appointment for the unexpired term. A member shall hold the member's office until the appointment and qualification of a successor. A member is eligible for reappointment. If a person serves two consecutive full terms, a period of at least four years must elapse before the person is again eligible for appointment to serve on the board.

(4) Members of the board are eligible for compensation and expenses as provided in ORS 292.495.

(5) The board shall select one of its members to serve as chair and another to serve as vice chair, for those terms and with such duties and powers necessary for the performance of the functions of those offices as the board determines.

(6) A majority of the board constitutes a quorum for the transaction of business.

(7) The board shall meet at times and places specified by the call of the chair or of a majority of the members of the board. The board shall meet at least once each calendar year.

(8) A board member appointed under this section who is also a certified clinical sexual offense therapist, certified associate sexual offense therapist or certified secondary clinical sexual offense therapist must satisfy all requirements for certification provided in ORS 675.375 and must obtain certification within 12 months of the member's appointment. [2007 c.841 §7; 2009 c.701 §6; 2013 c.568 §14; 2017 c.421 §8; 2019 c.68 §10]

Note: See note under 675.365.

675.400 Duties of board. The Sexual Offense Treatment Board shall:

(1) Determine the qualifications and fitness of applicants for certification as clinical sexual offense therapists, associate sexual offense therapists, secondary clinical sexual offense therapists and sexual offense therapist interns under ORS 675.365 to 675.380.

(2) Establish standards of practice and professional responsibility for persons certified by the Health Licensing Office.

(3) Adopt standards for training, including but not limited to training related to the treatment of distinct sexual abuser populations, including adults, juveniles, persons with developmental disabilities and others.

(4) Advise the office on all matters related to administering ORS 675.365 to 675.410 and recommend rules, standards and guidelines necessary for the administration of ORS 675.365 to 675.380. [2007 c.841 §8; 2013 c.314 §58; 2013 c.568 §15; 2019 c.68 §11]

Note: See note under 675.365.

675.405 [2007 c.841 §10; 2009 c.701 §7; repealed by 2013 c.314 §65]

675.410 Duties of Health Licensing Office under ORS 675.365 to 675.410. (1) The Health Licensing Office shall:

(a) Issue certifications to persons determined by the office to be qualified.

(b) Make all disbursements necessary to carry out the provisions of ORS 675.365 to 675.410.

(c) Maintain a registry of all current certified sexual offense therapists. The registry shall be made available to the public online.

(d) Keep a record of its proceedings related to the issuance, refusal, suspension and revocation of certifications issued under ORS 675.365 to 675.380.

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(e) In consultation with the Sexual Offense Treatment Board, create a multidisciplinary advisory committee within the board. Persons who are not board members may be appointed as nonvoting members to serve on the multidisciplinary advisory committee with the approval of the board.

(2) The office may:

(a) Deny, suspend, revoke or refuse to issue or renew any certification issued under ORS 675.365 to 675.380.

(b) Provide for waivers of examinations, grandfathering requirements and temporary certifications as considered appropriate.

(c) In consultation with the board, create any committees within the board as deemed necessary. Persons who are not board members may be appointed as nonvoting members to serve on the committees with the approval of the board. [2007 c.841 §12; 2009 c.697 §2; 2013 c.568 §17; 2019 c.68 §12]

Note: See note under 675.365.

PENALTIES

676.992 Civil penalties. (1) Except as provided in subsection (3) of this section, and in addition to any other penalty or remedy provided by law, the Health Licensing Office may impose a civil penalty not to exceed \$5,000 for each violation of the following statutes and any rule adopted under the following statutes:

(a) ORS 688.701 to 688.734 (athletic training);

(b) ORS 690.005 to 690.225 (cosmetology);

(c) ORS 680.500 to 680.565 (denture technology);

(d) Subject to ORS 676.616 and 687.445, ORS 687.405 to 687.495 (direct entry midwifery);

(e) ORS 690.350 to 690.410 (tattooing, electrolysis, body piercing, earlobe piercing, dermal implanting and scarification);

(f) ORS 694.015 to 694.170 (dealing in hearing aids);

(g) ORS 688.800 to 688.840 (respiratory therapy and polysomnography);

(h) ORS chapter 700 (environmental sanitation);

(i) ORS 675.365 to 675.410 (sexual abuse specific treatment);

(j) ORS 678.710 to 678.820 (nursing home administrators and residential care facility administrators);

(k) ORS 691.405 to 691.485 (dietitians);

(L) ORS 676.612 (prohibited acts);

(m) ORS 676.802 to 676.830 (applied behavior analysis);

(n) ORS 681.700 to 681.730 (music therapy);

(o) ORS 676.630 to 676.660 (advanced nonablative esthetics procedure);

(p) ORS 681.740 to 681.758 (art therapy);

(q) ORS 676.665 to 676.689 (lactation consultation);

(r) ORS 676.730 to 676.748 (genetic counseling); and

(s) ORS 676.750 to 676.789 (signed language interpretation).

(2) The office may take any other disciplinary action that it finds proper, including but not limited to assessment of costs of disciplinary proceedings, not to exceed \$5,000, for violation of any statute listed in subsection (1) of this section or any rule adopted under any statute listed in subsection (1) of this section.

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(3) Subsection (1) of this section does not limit the amount of the civil penalty resulting from a violation of ORS 694.042.

(4) In imposing a civil penalty under this section, the office shall consider the following factors:

(a) The immediacy and extent to which the violation threatens the public health or safety;

(b) Any prior violations of statutes, rules or orders;

(c) The history of the person incurring a penalty in taking all feasible steps to correct any violation;
and

(d) Any other aggravating or mitigating factors.

(5) Civil penalties under this section shall be imposed as provided in ORS 183.745.

(6) The moneys received by the office from civil penalties under this section shall be deposited in the Health Licensing Office Account and are continuously appropriated to the office for the administration and enforcement of the laws the office is charged with administering and enforcing that govern the person against whom the penalty was imposed. [2003 c.547 §4; 2005 c.648 §14; 2007 c.841 §17; 2009 c.701 §17; 2009 c.768 §31; 2011 c.346 §31; 2011 c.630 §20; 2011 c.715 §21; 2013 c.82 §5; 2013 c.314 §17; 2013 c.568 §33; 2013 c.657 §10; 2013 c.771 §17; 2015 c.632 §6; 2015 c.674 §16; 2015 c.722 §11; 2017 c.155 §13; 2017 c.421 §9; 2017 c.499 §20; 2018 c.61 §25; 2021 c.231 §14; 2023 c.414 §26; 2023 c.500 §5]