



Art Therapy Program

OREGON ADMINISTRATIVE RULES

(UNOFFICIAL COPY)

CHAPTER 331, DIVISION 375 – 395

PERMANENT RULES EFFECTIVE

DECEMBER 1, 2019



HEALTH LICENSING OFFICE

1430 Tandem Ave. NE, Suite 180

Salem, OR 97301-2192

Phone: (503) 378-8667 | Fax: (503) 370-9004

Email: hlo.info@state.or.us

Website: www.healthoregon.org/hlo

DIVISION 375

GENERAL ADMINISTRATION

331-375-0010

Definitions

The following definitions apply to OAR 331-375-0010 to OAR 331-395-0010:

- (1) “Art Therapist” means a licensed art therapist or a licensed certified art therapist as those terms are defined in ORS 681.740.
- (2) “ATCB” means the Art Therapy Credentials Board, Inc.
- (3) “ATR” means Registered Art Therapist by the Art Therapy Credentials Board, Inc.
- (4) “ATR-BC” means Board Certified Art Therapist by the Art Therapy Credentials Board, Inc.
- (5) “Good standing” means no unresolved or outstanding disciplinary actions.
- (6) “Licensure year” means a year that begins on the last day of the month that the licensee was originally licensed and extends for the following 364 days.
- (7) “Office” means the Health Licensing Office.

331-375-0020

Fees

- (1) An applicant or authorization holder is subject to the provisions of OAR 331-010-0000 through OAR 331-010-0070, including OAR 331-010-0010 and OAR 331-010-0020 regarding the payment of fees, penalties and charges.
- (2) Fees established by the Office pursuant to ORS 676.592 are:
 - (a) Application: \$150.
 - (b) License: \$50 – valid for one licensure year.
 - (c) Renewal: \$50 – valid for one licensure year.
 - (d) Replacement: \$25.

Health Licensing Office, Art Therapy Program
Oregon Administrative Rules, Chapter 331, Division 375 – 395
Permanent Rules Effective: December 1, 2019
Unofficial Copy

- (e) Late fee: \$40 for each year of inactive status up to three years.
- (f) Affidavit of licensure, as defined in OAR 331-030-0040: \$50.
- (g) Administrative fee: \$25.

UNOFFICIAL

DIVISION 380

LICENSURE OF ART THERAPISTS

331-380-0020

Application Requirements for Initial Licensure as an Art Therapist

An individual applying for initial licensure as an art therapist must:

- (1) Meet the requirements of OAR 331 Division 30.
- (2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000.
- (3) Be at least 18 years old.
- (4) Has received at least a master's degree from a program that has been accepted by the ATCB.
- (5) Arrange for official documentation to be sent to the Office directly from the certifying organization proving that the applicant meets the qualifications at the date of application:
 - (a) Is certified by the ATCB as an ATR; or
 - (b) Possesses the qualifications to be credentialed as an ATR.
- (6) Pass a fingerprint-based nationwide criminal records check pursuant to OAR 331-030-0004.
- (7) Pay all fees.

331-380-0025

Application Requirements for Initial Licensure as a Certified Art Therapist

The Office will enter all art therapist authorization holders and their status into its licensure database, which is available to the public. An individual applying for initial licensure as a certified art therapist must:

- (1) Meet the requirements of OAR 331 Division 30.
- (2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000.
- (3) Be at least 18 years old.
- (4) Has received at least a master's degree from a program accepted by the ATCB.
- (5) Arrange for official documentation to be sent to the Office directly from the certifying organization proving that the applicant meets the qualifications at the date of application:
 - (a) Is certified by the ATCB as an ATR-BC; or

Health Licensing Office, Art Therapy Program
Oregon Administrative Rules, Chapter 331, Division 375 – 395
Permanent Rules Effective: December 1, 2019
Unofficial Copy

- (b) Possesses the qualifications to be credentialed as an ATR-BC.
- (6) Pass a fingerprint-based nationwide criminal records check pursuant to OAR 331-030-0004.
- (7) Pay all fees.

331-380-0028

Licensure by Reciprocity for initial licensure as an art therapist

An individual applying for initial licensure as an art therapist must:

- (1) Meet the requirements of OAR 331 Division 30.
- (2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000.
- (3) Be at least 18 years old.
- (4) Has received at least a master's degree from a program accepted by the ATCB.
- (5) Arrange for official documentation to be sent to the Office directly from the certifying organization proving that the applicant meets the qualifications at the date of application:
 - (a) Is certified by the ATCB as an ATR; or
 - (b) Possesses the qualifications to be credentialed as an ATR.
- (6) Be in good standing in every state in which they are licensed or certified.
- (7) Ensure that the Office receives an affidavit of licensure for each state in which they are licensed or certified, pursuant to OAR 331-030-0040.
- (8) Pass a fingerprint-based nationwide criminal records check pursuant to OAR 331-030-0004.
- (9) Pay all fees.

331-380-0029

Licensure by Reciprocity for Initial Licensure as a Certified Art Therapist

An individual applying for initial licensure as a certified art therapist must:

- (1) Meet the requirements of OAR 331 Division 30.
- (2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000.
- (3) Be at least 18 years old.
- (4) Has received at least a master's degree from a program accepted by the ATCB.
- (5) Arrange for official documentation to be sent to the Office directly from the certifying organization proving that the applicant meets the qualifications at the date of application:
 - (a) Is certified by the ATCB as an ATR-BC; or

For an official copy of the Oregon Administrative Rules, please go to the Secretary of State website:
http://sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx or call (503) 373-0701

Health Licensing Office, Art Therapy Program
Oregon Administrative Rules, Chapter 331, Division 375 – 395
Permanent Rules Effective: December 1, 2019
Unofficial Copy

- (b) Possesses the qualifications to be credentialed as an ATR-BC.
- (6) Be in good standing in every state in which they are licensed or certified.
- (7) Ensure that the Office receives an affidavit of licensure for each state in which they are licensed or certified, pursuant to OAR 331-030-0040.
- (8) Pass a fingerprint-based nationwide criminal records check pursuant to OAR 331-030-0004.
- (9) Pay all fees.

331-380-0030

Licensure Issuance and Renewal

- (1) Licensure and renewal: Both licenses are subject to the provisions of OAR Chapter 331, Division 30 regarding the issuance and renewal of a license, provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate license.
- (2) License renewal: To avoid late penalties, licenses must be renewed before the license becomes inactive as described in section (3) of this rule. The licensee must:
 - (a) Submit a renewal application form;
 - (b) Attest to having obtained the continuing education pursuant to 331-385-0010;
 - (c) Pass a state criminal background check pursuant to OAR 331-030-0004; and
 - (d) Pay the renewal fee pursuant to OAR 331-375-0020;
- (3) Renewal when license is inactive: ORS 676.580 defines an “active authorization” as an authorization that is current and not suspended, and an “inactive authorization” as an authorization that has not been current for three years or less. An inactive license does not authorize its holder to practice art therapy or use the title or designation of Art Therapist. To renew an inactive license, the authorization holder must:
 - (a) Submit a renewal application form;
 - (b) Attest to having obtained the continuing education pursuant to OAR 331-385-0010;
 - (c) Pass a state criminal background check pursuant to OAR 331-030-0004; and
 - (d) Pay the late and renewal fees pursuant to OAR 331-375-0020.
- (4) Expired license: A license that has been inactive for more than three years is expired, and the licensee must reapply for licensure and meet the current requirements.

DIVISION 385

CONTINUING EDUCATION FOR ART THERAPISTS

331-385-0010

Continuing Education Requirements

- (1) To maintain authorization, licensed art therapists must complete a minimum of 8 hours of continuing education every authorization year.
- (2) To maintain authorization, licensed certified art therapists must complete a minimum of 12 hours of continuing education every authorization year.
- (3) Credit hours obtained in excess of those required for the one-year reporting period cannot be carried forward or used to reinstate an inactive authorization.
- (4) Continuing education for all authorization holders must address subject matter related to one or more of the following domains:
 - (a) Psychotherapeutic theories and practice;
 - (b) Art therapy assessment;
 - (c) Client populations, multicultural competency, and social action;
 - (d) Professional development;
 - (e) Art therapy and expressive media;
 - (f) Ethics.
- (5) Continuing education hours do not include travel time to or from the training site, registration or check-in periods, networking, introductions or welcome messages, orientation to the agenda, overviews of the day, breaks, lunches or wrap up of the day.
- (6) Self-study, research, authorship, or teaching does not count toward CE credit for renewal of the authorization.
- (7) At renewal, each authorization holder must document compliance with the continuing education requirements through attestation on the authorization renewal application.
- (8) Continuing education requirements apply whether the applicant renewing authorization is living or working within Oregon or outside of the state, so long as Oregon authorization is maintained.
- (9) Continuing education requirements remain in effect during the time authorization is inactive. If an inactive authorization is renewed, authorization holder must attest to having fulfilled all continuing education hours required during the inactive time period.

331-385-0020

Continuing Education Audit

- (1) Obtaining and maintaining proof of participation in required continuing education is the responsibility of the authorization holder.
- (2) Documentation supporting compliance with continuing education requirements must be maintained for four years following renewal and must be available to the Office upon request.
- (3) The Office will audit a percentage of authorization holders to verify compliance with continuing education requirements.
- (4) Authorization holders selected for audit of continuing education will be notified in writing. Those selected for audit will have 45 calendar days from the date of issuance of the notification to submit to the Office satisfactory documentation and evidence of participation and completion of required hours as describe in rule.
- (5) Satisfactory evidence of participation and completion includes, but is not limited to:
 - (a) Proof of attendance (sign-in sheets, documentation from instructor).
 - (b) Certificate of completion showing number of CE hours.
 - (c) Name of sponsor, provider, organization, or instructor.
 - (d) Course agenda or syllabus.
 - (e) Course content description.
 - (f) Official transcript from an accredited college or university.
 - (g) Sponsor, provider, organization, or instructor statement (affidavit attesting to attendance, completion, certificate, diploma).
- (6) An authorization holder who fails to meet the required CE hours, within the previous renewal year, will receive a notice of intent (notice) to suspend their authorization to practice, a \$500 civil penalty will be assessed, and they must obtain the missing CE hours within three months from the date of issuance of the notification. Completion of the missing CE hours will be in addition to the annual requirement for that authorization renewal year.
- (7) Satisfactory evidence of participation and completion of missing CE hours will need to be submitted to the Office to remove the suspension of the authorization to practice. Example: an authorization holder is required to take 12 hours of CE in the previous renewal year but only completed eight hours. The Office will issue notice and the authorization holder will have three months from the date the notice becomes a final order to obtain the four additional hours and submit satisfactory evidence of participation and completion to the Office. The four additional hours will be in addition to the 12 hours required for the current authorization renewal year, for a total of 16 hours.
- (8) Fraud, misrepresentation, concealment of material facts, or deception in any written or oral communication to the Office regarding continuing education requirements shall constitute

For an official copy of the Oregon Administrative Rules, please go to the Secretary of State website:
http://sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx or call (503) 373-0701

**Health Licensing Office, Art Therapy Program
Oregon Administrative Rules, Chapter 331, Division 375 – 395
Permanent Rules Effective: December 1, 2019
Unofficial Copy**

grounds for disciplinary action. This may include, but is not limited to, assessment of a civil penalty and suspension or revocation of the authorization.

UNOFFICIAL

DIVISION 390

STANDARDS OF PRACTICE

331-390-0010

Standards of Practice, Professional, and Ethical Responsibility

- (1) A licensed art therapist must:
 - (a) Comply with all applicable client confidentiality laws;
 - (b) Comply with all local, state and federal laws concerning the practice of art therapy;
 - (c) Abide by Part 1 sections 1 and 2 of the ATCB Code of Ethics, Conduct, and Disciplinary Procedures (revised April 21, 2018); a copy of which is available from the Office; and
 - (d) Abide by ORS 681.749 (2) and (3).
- (2) Licensees must show proof of valid license upon request or post the registration document in public view at the art therapist's primary workplace.
- (3) A licensee must carry the license or post the official registration in plain view any time services are being provided.
- (4) Failure to comply with these standards constitutes unprofessional conduct, and a licensee engaging in such conduct may be subject to discipline under ORS 676.612.

DIVISION 395

DISCIPLINE AND ENFORCEMENT

331-395-0010

Investigative authority

The Office may initiate and conduct investigations relating to the practice of art therapy and may take appropriate disciplinary action in accordance with the provisions of ORS 676.612 and ORS 676.992.