DIVISION 800

GENERAL ADMINISTRATION

331-800-0010

Definitions

The following definitions apply to OAR 331-800-0010 to 331-850-0010:

(1) “Affidavit of Licensure” means an original document or other approved means of verifying an authorization to practice (licensure or registration), status and history, including information disclosing all unresolved or outstanding penalties or disciplinary actions. Refer to OAR 331-030-0040.

(2) “ATSA” means the Association for the Treatment of Sexual Abusers.

(3) “Certificate holder” means a certified clinical sex offender therapist, a certified secondary associate sex offender therapist, or a certified associate sex offender therapist.

(4) “Client” or “clients” means an individual or individuals described in 2017 House Bill 2633 Section 3.

(5) “Direct clinical contact” means services provided with the primary purpose of assessment and developing and implementing a treatment plan focused on sex-abuse-related behavior.

(6) “Direct supervision” has the definition set forth in ORS 675.365(4).

(7) “Direct treatment services” means individual, group or family therapy that focuses on the sex-abuse-related behavior; the client must be present.

(8) “Official transcript” means an original document certified by an accredited college or university indicating hours and types of course work, examinations and scores that the student has completed. The accredited college or university must submit the transcript by mail or courier directly to the Office in a sealed envelope.

(9) “Reciprocity” means, according to ORS 675.380, certification, registration or licensure in another state, or similar official recognition by another state, based on standards of training, education and experience that are similar to those required for certification in Oregon as a certified clinical sex offender therapist, a certified secondary associate sex offender therapist or a certified associate sex offender therapist as specified in 675.375.
(10) “Sex abuse” or “sexual abuse” means any client behavior, including force, coercion, or manipulation, resulting in a person, who did not or could not consent, observing or experiencing sexual harassment, sexual exploitation, sexual behavior, or sexual activity.

(11) “Treatment plan” means a written statement of intended care and services as documented in the evaluation that details how the client’s treatment needs will be met while protecting the community during the treatment.

### Fees

(1) An applicant or certificate holder are subject to the provisions of OAR 331-010-0010 and 331-010-0020 regarding the payment of fees, penalties and charges.

(2) Fees established by the Oregon Health Licensing Office pursuant to 676.592 are as follows:

(a) Application: $75.

(b) Certification: $325 – valid for one year.

(c) Renewal: $325 – valid for one year.

(e) Replacement: $25.

(f) Duplicate: $25.

(g) Late fee(s): $50 for each year of inactive status up to three years.

(h) Affidavit of licensure: $50.

(i) Administrative fee: $25.
DIVISION 810

CERTIFICATION

331-810-0010

Clinical Sex Offender Therapist Certification

(1) Only a clinical sex offender therapist certified under ORS 675.375 may use the title “certified clinical sex offender therapist.”

(2) A certification is valid for one year and becomes inactive on the last day of the month one year from the date of issuance.

331-810-0020

Application Requirements for Clinical Sex Offender Therapist Certification

An individual applying for certification as a clinical sex offender therapist must:

(1) Submit a completed application form prescribed by the Board.

(2) Submit proof of having at least a master’s degree in a Board-approved behavioral science field. For a current list of Board-approved degrees, go to oregon.gov/OHA/HLO/SOTB.

(3) Submit proof of having an active Oregon mental health professional license or equivalent. A mental health professional license is a license to practice without supervision as a psychiatrist, psychiatric nurse practitioner, psychologist, psychologist associate, licensed professional counselor, licensed clinical social worker, or licensed marriage and family therapist who provides sexual-abuse-specific treatment to adults, juveniles, or the functionally disabled.

(4) Submit proof of having at least 2,000 hours of direct clinical contact with clients within not less than three years and not more than six years prior to the application date. The hours include:

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

(b) 500 hours of evaluations; and
(c) 500 hours of treatment-plan related activity, including report writing, clinical consultations, case management, charting, peer review and consultations, meeting with attorneys, parole and probation officers, caseworkers, families, victims and other members of the client’s social network.

(5) Submit proof of having at least 60 hours of formal training applicable to sexual-abuse-specific evaluation and treatment, obtained within three years prior to the application date.

(6) Submit a completed application form prescribed by the Board, which must contain the information listed in OAR 331-030-0000.

(7) Pursuant to OAR 331-030-0004, submit a fingerprint-based national criminal background check and be determined fit to hold an authorization.

(8) Pay fees pursuant to OAR 331-800-0020.

331-810-0025

Associate Sex Offender Therapist Certification

(1) Only an associate sex offender therapist certified under ORS 675.375 may use the title “certified associate sex offender therapist.”

(2) An associate sex offender therapist certification is valid for one year and becomes inactive on the last day of the month one year from the date of issuance.

(3) An associate sex offender therapist must be under the direct supervision of a certified clinical sex offender therapist.

(4) Submit a completed application form prescribed by the Board, which must contain the information listed in OAR 331-030-0000.

(5) Pursuant to OAR 331-030-0004, submit a fingerprint-based national criminal background check and be determined fit to hold an authorization; and

(6) Pay fees pursuant to OAR 331-800-0020.

331-810-0031

Application Requirements for Associate Sex Offender Therapist Certification

An individual applying for certification as an associate sex offender therapist must:

(1) Submit a completed application form prescribed by the Board.
(2) Submit proof of having at least a bachelor’s degree in the Board-approved behavioral sciences. For a list of Board-approved degrees, go to oregon.gov/OHA/HLO/SOTB.

(3) Submit proof of having at least 1,000 hours of direct clinical contact with clients.

(4) Be under the direct supervision of a certified clinical sex offender therapist.

(5) Submit proof of having at least 30 hours of formal training applicable to sexual-abuse-specific evaluation and treatment. The training must have been obtained in the three years prior to the application date.

(6) Pursuant to OAR 331-030-0004, submit a fingerprint-based national criminal background check and be determined fit to hold an authorization.

(7) Pay fees pursuant to OAR 331-800-0020.

331-810-0036

Certified Secondary Associate Sex Offender Therapist

(1) Only a certified secondary sex offender therapist certified under ORS 675.375 may use the title “certified secondary associate sex offender therapist.”

(2) A certified secondary associate sex offender therapist certification is valid for one year and becomes inactive on the last day of the month one year from the date of issuance.

(3) A certified secondary associate sex offender therapist must be under the direct supervision of a certified clinical sex offender therapist.

(4) Submit a completed application form prescribed by the Board, which must contain the information listed in OAR 331-030-0000.

(5) Pursuant to OAR 331-030-0004, submit a fingerprint-based national criminal background check and be determined fit to hold an authorization.

(6) Pay fees pursuant to OAR 331-800-0020.

331-810-0037

Application Requirements for Certified Secondary Associate Sex Offender Therapist Certification

An individual applying for certification as a certified secondary associate sex offender therapist must:

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
(1) Submit a completed application form prescribed by the Board.

(2) Submit proof of having at least a master's degree in the Board-approved behavioral sciences field. For a current list of Board-approved degrees, go to oregon.gov/OHA/HLO/SOTB.

(3) Submit proof of having an active Oregon mental health professional license or equivalent or being a registered intern for a mental health professional licensed in Oregon. A mental health professional license is a license to practice without supervision as a psychiatrist, psychiatric nurse practitioner, psychologist, psychologist associate, licensed professional counselor, licensed clinical social worker, or licensed marriage and family therapist who provides sexual-abuse-specific treatment of adults, juveniles or the functionally disabled.

(4) Submit proof of having at least 15 hours of formal training applicable to sexual-abuse-specific treatment and evaluation that has been obtained within three years of the application date.

(5) Be under the direct supervision of a certified clinical sex offender therapist.

(6) Attest to providing sexual-abuse-specific treatment services to no more than nine clients in a calendar month, or attest that the applicant is accruing hours to qualify for the certified associate sex offender therapist authorization.

(7) Pursuant to OAR 331-030-0004, submit a fingerprint-based national criminal background check and be determined fit to hold an authorization.

(8) Pay fees pursuant to OAR 331-800-0020.

331-810-0040

Reciprocity

An individual applying through reciprocity must:

(1) Submit a completed application form prescribed by the Board.

(2) Submit an affidavit of licensure, pursuant to 331-030-0040, demonstrating proof of holding a current certification, registration or licensure in another state, or similar official recognition by another state, as a clinical sex offender therapist, secondary associate sex offender therapist, or associate sex offender therapist, and has no current or pending disciplinary action against the certification. The out of state requirements for the official recognition must be substantially equivalent to Oregon certification requirements pursuant to ORS 675.380.
(3) Pursuant to OAR 331-030-0004, submit a fingerprint-based national criminal background check and be determined fit to hold an authorization.

(4) Pay fees pursuant to OAR 331-800-0020.

331-810-0055

Supervision – clinical sex offender therapists

A certified clinical sex offender therapist who is providing direct supervision, as defined in ORS 675.365 (5), of a certified associate sex offender therapist or a certified secondary associate sex offender therapist must:

(1) Enter into a formal contract prescribed by the Board that specifies:

(a) The duties of the participating parties named in the contract;

(b) The scope and focus of the supervision; and

(c) Frequency and durations of meetings to review the supervisee's professional performance.

(2) Document dates and content of supervision meetings and make the information available to the Office if requested;

(3) Sign assessments, evaluations, initial treatment plans, and discharge summaries, and ensure client-related correspondence includes appropriate title and name of supervisor.

(4) Ensure that supervisees have sufficient training, education, background, preparation and supervision in order to evaluate and treat clients.

(5) Notify the Office in writing within 10 business days of ending the supervision contract.

(6) Maintain supervision records for a minimum of 5 years after the last day of supervision. Upon request, you must make the records available to the Office.

331-810-0060

Supervision – associate sex offender therapists

A certified associate sex offender therapist must:

(1) Enter into a formal contract prescribed by the Board with a certified clinical sex offender therapist that specifies:
Health Licensing Office, Sex Offender Treatment Board  
Oregon Administrative Rules, Chapter 331, Division 800 – 850  
Permanent Rules Effective: January 1, 2018  
Unofficial Copy

(a) The duties of a certified associate sex offender therapist;

(b) The scope and focus of the supervision; and

(c) Frequency and durations of meetings between the supervisor and the certified associate sex offender therapist to review the certified associate sex offender therapist’s professional performance.

(2) Notify the Office in writing within 10 business days of ending the supervision contract.

(3) Identify themselves as a certified associate sex offender therapist on all materials relating to the provision of sexual-abuse-specific treatment. The supervisor's name and designation “supervisor” must be included on these materials.

(4) Maintain supervision records for a minimum of 5 years after the last day of supervision. Upon request, you must make the records available to the Office.

331-810-0065

Supervision – certified secondary associate sex offender therapists

A certified secondary associate sex offender therapist must:

(1) Enter into a formal contract prescribed by the Board with a certified clinical sex offender therapist that specifies:

(a) The duties of a certified secondary associate sex offender therapist;

(b) The scope and focus of the supervision; and

(c) Frequency and durations of meetings between the supervisor and the certified secondary associate sex offender therapist to review the certified secondary associate sex offender therapist’s professional performance.

(2) Notify the Office in writing within 10 business days of ending the supervision contract.

(3) Identify themselves as a certified secondary associate sex offender therapist on all materials relating to the provision of sexual-abuse-specific treatment. The supervisor's name and designation “supervisor” must be included on these materials.

(4) Maintain supervision records for a minimum of 5 years after the last day of supervision. Upon request, you must make the records available to the Office.
331-820-0020

Certification Renewal

(1) A certification is subject to the provisions of OAR Chapter 331, division 30 regarding the renewal of a certification, and provisions regarding authorization to use the title, identification and requirements for issuance of a duplicate certification.

(2) Certification renewal is valid for one year.

(3) To avoid delinquency fees, certification renewal must be made prior to the certification becoming not current. The certification holder must:

(a) Submit a renewal application form;

(b) Attest to having obtained required annual continuing education under OAR 331-830-0010 on a form prescribed by the Board, whether the certification is current or inactive;

(c) Pass a state criminal background check pursuant to OAR 331-030-0004; and

(d) Pay the renewal fee pursuant to OAR 331-800-0020.

(4) Inactive certification renewal: 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 fewer. A certification holder in inactive status is not authorized to use the title. When renewing, the inactive certification holder must:

(a) Submit a renewal application form;

(b) Attest to having obtained required annual continuing education under OAR 331-830-0010 on a form prescribed by the Board, whether the certification is current or inactive; and

(c) Pass a state criminal background check pursuant to OAR 331-030-0004; and

(d) Pay delinquent and certification renewal fees for all years needed to bring the inactive authorization current pursuant to OAR 331-800-0020;
(5) Expired certification: A certification that has been inactive for more than three years is expired and the certification holder must reapply for certification and meet the requirements listed in OAR 331-810-0020 or 331-810-0030.

331-820-0025

Certified clinical sex offender therapists without a mental health license

A certified clinical sex offender therapist who did not hold an active Oregon mental health professional license, or equivalent license as determined by the Office, upon initial certification, may continue to engage in the practice of sexual-abuse-specific treatment as a certified clinical sex offender therapist only if the person obtains an Oregon mental health professional license or equivalent license as determined by the Office by Jan. 1, 2021.
DIVISION 830

CONTINUING EDUCATION

331-830-0010

Continuing education requirements

(1) To maintain certification, all certificate holders must complete a minimum of 15 hours every certification year of continuing education specific to the assessment, evaluation and treatment of clients as defined in 331-800-0010(4). A certification year is 365 days in duration, or 366 days when a leap year, and begins on the first date that the license is current.

(2) Each certificate holder who is in compliance must document compliance with the continuing education requirement through attestation on the certification renewal application. Certification holders are subject to provisions of OAR 331-830-0020 pertaining to periodic audit of continuing education.

(3) Continuing education must relate to sexual-abuse-specific treatment taught by a professional with experience in the field.

(4) CEU credit will be awarded based on the following criteria:

(a) Completion and passing of academic courses taken from an accredited college or university at the same rate of credit established by that institution;

(b) Workshops, symposiums, seminars, laboratory exercises, or any applied experience with or without formal classroom work, may receive credit at the rate of one credit for each hour of attendance.

(5) Documentation supporting compliance with continuing education requirements must be maintained for two years following renewal, and must be provided to the Office upon request.

331-830-0020

Continuing education and experience audit, required documentation and sanctions

(1) The Office will audit a percentage of certifications to verify compliance with continuing education requirements.

(2) Certification holders who are selected for audit must submit to the Office satisfactory evidence of participation in required continuing education within 30 days of the audit notice.
(3) If selected for audit, the certification holder must provide to the Office documentation that includes:

(a) An official transcript from the accredited college or university;

(b) A certificate of completion that includes the ATSA approval number;

(c) A certificate of completion or other documentation that includes the Office pre-approval number if one was provided;

(d) A certificate of completion or other documentation for a class or training provided by a mental health association or regulatory board.

(4) If documentation of continuing education is incomplete, the registrant has 30 days from the date of notice to submit further documentation to substantiate having completed the required continuing education.

(5) Failure to meet continuing education requirements shall constitute grounds for disciplinary action, which may include, but is not limited to, assessment of a civil penalty and suspension or revocation of the certification.
**DIVISION 840**

**STANDARDS OF PRACTICE AND PROFESSIONAL RESPONSIBILITY**

**331-840-0010**

**Standards of Practice**

(1) The standards set forth in OAR chapter 331, Division 840 apply to all certificate holders as specified in ORS 675.365(3).

(2) Failure to comply with these standards may constitute unprofessional conduct, and a certificate holder engaging in such conduct may be subject to discipline under ORS 676.612.

**331-840-0020**

**Ethical Principles**

The Sex Offender Treatment Board adopts the 2014 Association for the Treatment of Sexual Abusers (ATSA) Professional Code of Ethics and pages 1-15 of the Ethical Principles. Documents are available at www.atsa.com and can be obtained from the Office upon request.

**331-840-0040**

**Mandatory Reporting**

(1) Certificate holders are required to report to the Office any conviction, determination or finding of which they have personal knowledge that any certificate holder has committed an act that constitutes unprofessional conduct.

(2) Reports under this section must be made in writing and include the name, address, and telephone number of the person making the report, the name and address of the person about whom the report is made and complete information about the circumstances that prompted the report.

**331-840-0060**

**Client Records**

(1) Certificate holders must maintain documentation for each client relevant to health history, clinical examinations and treatment, and financial data.

(2) Records must include:
(a) Client’s name, address, telephone number and dates of service;

(b) Health history related to sexual-abuse-specific evaluation or treatment plan(s), including referral to other mental health-care provider or physician.

(c) Description of services -- chart notes -- including any complications. Chart notes must include the recorder’s initials, certification number and professional title if multiple practitioners provide service to the client.

(3) Certificate holder’s name, license number, professional title or abbreviation, and signature or initials somewhere on the documentation as a means of identifying the person who is providing service to the client. This information may be affixed to the record(s) in the form of a professional stamp or handwritten entry.

(4) Client records and documentation must be retained for at least seven years after the certificate holder stops working with the client.

331-840-0070

Practice Standards and Guidelines

The Board adopts the following as the practice standards and guidelines for all certificate holders:

(1) Adult Male Sexual Abusers: The 2014 Association for the Treatment of Sexual Abusers (ATSA), Practice Standards and Guidelines. A copy of the Practice Standards and Guidelines may be purchased at the website: www.atsa.com/form.html. The information is also available by contacting ATSA: 4900 S.W. Griffith Drive, Suite 274, Beaverton, OR 97005, Phone: (503) 643-1023, Fax: (503) 643-5084, email: atsa@atsa.com.

(2) Juvenile Sexual Abusers: Practice Standards and Guidelines, adopted January 2010. A copy may be accessed on the Office website: www.oregon.gov/OHA/HLO/SOTB. The information is also available by contacting the Office at: 1430 Tandem Ave. NE Suite 180, Salem, OR 97301. Phone: (503) 378-8667, fax: (503) 585-9114, email: hlo.info@state.or.us.

(3) Sexual Abusers with Intellectual and Other Developmental Disabilities: Practice Standards and Guidelines, adopted January 2010. A copy of the Practice Standards and Guidelines may be accessed at the Office website: www.oregon.gov/OHA/HLO/SOTB. The information is also available by contacting the Office at: 1430 Tandem Ave. NE Suite 180, Salem, OR 97301-2192. Phone: (503) 378-8667, Fax: (503) 585-9114, email: hlo.info@state.or.us.

(4) Failure to comply with OAR Chapter 331, Division 840 may result in disciplinary action under ORS 676.612.
(5) Certificate holders must use treatment modalities that are based on empirical research with regard to favorable treatment outcomes and are professionally accepted in the field of sexual-abuse-specific treatment of adults, juveniles, and functionally disabled individuals with sexual behavior problems.
DIVISION 850

DISCIPLINE AND ENFORCEMENT

331-850-0010 Investigative Authority

The Office may initiate and conduct investigations relating to the practice of sexual-abuse-specific treatment pursuant to ORS 676.608, and may take appropriate disciplinary action in accordance with the provisions of 675.385, 676.612 and 676.992.