



Sexual Offense Treatment Board

OREGON ADMINISTRATIVE RULES

(UNOFFICIAL COPY)

CHAPTER 331, DIVISION 800 – 850

PERMANENT RULES EFFECTIVE

JANUARY 1, 2020



HEALTH LICENSING OFFICE

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**Health Licensing Office, Sexual Offense Treatment Board
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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 certification), 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) “Board” means the Sexual Offense Treatment Board.
- (4) “CASOT” means a certified associate sexual offense therapist.
- (5) “CCSOT” means a certified clinical sexual offense therapist.
- (6) “Certificate holder” means a certified clinical sexual offense therapist, a certified secondary clinical sexual offense therapist, a certified associate sexual offense therapist, or a certified sexual offense therapist intern.
- (7) “Client” or “clients” means an individual or individuals described in ORS 675.368.
- (8) “Continuing Education” (CE) means post-authorization education to maintain and advance competency as it relates to the statutory definition of your profession.
- (9) “CSCSOT” means a certified secondary clinical sexual offense therapist.
- (10) “CSOTI” means a certified sexual offense therapist intern.
- (11) “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.
- (12) “Direct supervision” has the definition set forth in ORS 675.365.
- (13) “Direct treatment services” means individual, group or family therapy that focuses on the sex-abuse-related behavior; the client must be present.
- (14) “Office” means the Health Licensing Office.
- (15) “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.

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(16) “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 CCSOT, a CSCSOT, or a CASOT as specified in 675.380.

(17) “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.

(18) “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.

331-800-0020

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.

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**DIVISION 810
CERTIFICATION**

331-810-0010

Certified Clinical Sexual Offense Therapist

- (1) Only a CCSOT certified under ORS 675.375 may use the title, words or abbreviations that indicate the person is authorized to practice as a CCSOT.
- (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 Certified Clinical Sexual Offense Therapist

An individual applying for certification as a CCSOT must:

- (1) Submit a completed application form that must contain the information listed in OAR 331-030-0000;
- (2) Submit a completed professional disclosure statement as defined in ORS 675.365;
- (3) Submit proof of having at least a master's degree in a Board-approved behavioral science field. For a list of Board-approved degrees, contact the Office;
- (4) Submit proof of having an active Oregon mental health professional license or equivalent as determined by the Office. 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;
- (5) Submit proof of having at least 2,000 hours of direct clinical contact with clients 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.
- (6) Submit proof of having at least 60 hours of formal training applicable to sexual-abuse-specific evaluation and treatment, obtained within six years prior to the application date;

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(7) Submit a fingerprint-based national criminal background check and be determined fit to hold a certification, pursuant to OAR 331-030-0004;

(8) Pay fees.

331-810-0022

Certified Secondary Clinical Sexual Offense Therapist

(1) Only a CSCSOT certified under ORS 675.375 may use the title, words or abbreviations that indicate the person is authorized to practice as a CSCSOT.

(2) A CSCSOT 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 CSCSOT must be under the direct supervision of a CCSOT.

(4) A CSCSOT must not provide sexual-abuse-specific treatment services to more than nine clients in a calendar month, unless the certificate holder is accruing hours to qualify for the CASOT certification.

331-810-0023

Application Requirements Certified Secondary Clinical Sexual Offense Therapist

An individual applying for certification as a CSCSOT must:

(1) Submit a completed application form that must contain the information listed in OAR 331-030-0000;

(2) Submit proof of having at least a master's degree in a Board-approved behavioral science field. For a list of Board-approved degrees, contact the Office;

(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 15 hours of formal training applicable to sexual-abuse-specific evaluation and treatment, obtained within three years prior to the application date;

(5) Submit a fingerprint-based national criminal background check and be determined fit to hold a certification, pursuant to OAR 331-030-0004;

(6) Pay fees.

331-810-0025

Certified Associate Sexual Offense Therapist

(1) Only a CASOT certified under ORS 675.375 may use the title words or abbreviations that indicate the person is authorized to practice as a CASOT.

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

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(2) A CASOT 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 CASOT must be under the direct supervision of a CCSOT.

331-810-0031

Application Requirements for Certified Associate Sexual Offense Therapist

An individual applying for certification as a CASOT must:

(1) Submit a completed application form that must contain the information listed in OAR 331-030-0000;

(2) Submit proof of having at least a bachelor's degree in the Board-approved behavioral sciences. For a list of Board-approved degrees, contact the Office;

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

(4) Submit proof of having at least 30 hours of formal training applicable to sexual-abuse-specific evaluation and treatment, obtained within three years prior to the application date;

(5) Be under the direct supervision of a CCSOT;

(6) Submit a fingerprint-based national criminal background check and be determined fit to hold a certification, pursuant to OAR 331-030-0004;

(7) Pay fees.

331-810-0034

Certified Sexual Offense Therapist Intern

(1) Only a CSOTI certified under ORS 675.375 may use the title, words or abbreviations that indicate the person is authorized to practice as a CSOTI.

(2) A CSOTI 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 CSOTI must be under the direct supervision of a CCSOT.

331-810-0039

Application Requirements for Certified Sexual Offense Therapist Intern

An individual applying for certification as a CSOTI must:

(1) Submit a completed application form that must contain the information listed in OAR 331-030-0000;

(2) Submit proof of having at least a bachelor's degree in the Board-approved behavioral sciences field. For a list of Board-approved degrees, contact the Office;

(4) Be under the direct supervision of a CCSOT;

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(5) Submit a fingerprint-based national criminal background check and be determined fit to hold a certification, pursuant to OAR 331-030-0004;

(6) Pay fees.

331-810-0040

Reciprocity

An individual applying through reciprocity must:

(1) Submit a completed application form that must contain the information listed in OAR 331-030-0000;

(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 CCSOT, CSCSOT, or CASOT, and has no current or pending disciplinary action against the certification. The out-of-state requirements for the official recognition must be at least equivalent to Oregon certification requirements pursuant to ORS 675.360-675.410.

(3) Submit a fingerprint-based national criminal background check and be determined fit to hold a certification, pursuant to OAR 331-030-0004;

(4) Pay fees.

331-810-0055

Certified Clinical Sexual Offense Therapists Supervision Requirements

A CCSOT who is providing direct supervision, as defined in ORS 675.365, of a CSCSOT, CASOT, or CSOTI 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 training, education, background, preparation and supervision 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.

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331-810-0058

Certified Secondary Clinical Sexual Offense Therapist Supervision

A CSCSOT must:

- (1) Enter into a formal contract prescribed by the Board with a CCSOT that specifies:
 - (a) The duties of a CSCSOT;
 - (b) The scope and focus of the supervision; and
 - (c) Frequency and durations of meetings between the supervisor and the CSCSOT to review the CSCSOT's professional performance.
- (2) Obtain at least two hours of direct supervision for every 10 hours of direct clinical contact;
- (3) Notify the Office in writing within 10 business days of ending the supervision contract;
- (4) Identify themselves as a CSCSOT 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;
- (5) 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

Certified Associate Sexual Offense Therapist Supervision

A CASOT must:

- (1) Enter into a formal contract prescribed by the Board with a CCSOT that specifies:
 - (a) The duties of a CASOT;
 - (b) The scope and focus of the supervision; and
 - (c) Frequency and durations of meetings between the supervisor and the CASOT to review the certified associate sexual offense therapist's professional performance.
- (2) Obtain at least:
 - (a) Two hours of direct supervision per month. At least one hour must be individual supervision if the certificate holder has 45 or fewer hours in the month of direct clinical contact with clients; or
 - (b) Three hours of direct supervision per month. At least 90 minutes must be individual supervision if the certificate holder has more than 45 hours in the month of direct clinical contact with clients.
- (3) Notify the Office in writing within 10 business days of ending the supervision contract;

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- (4) Identify themselves as a CASOT 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;
- (5) 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.

331-810-0070

Certified Sexual Offense Therapist Intern Supervision

A CSOTI must:

- (1) Enter into a formal contract prescribed by the Board with a CCSOT that specifies:
 - (a) The duties of a CSOTI;
 - (b) The scope and focus of the supervision; and
 - (c) Frequency and durations of meetings between the supervisor and the CSOTI to review the certified sexual offense therapist intern's professional performance.
- (2) Notify the Office in writing within 10 business days of ending the supervision contract;
- (3) Identify themselves as a CSOTI 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.
- (5) Obtain at least:
 - (a) Two hours of direct supervision per month. At least one hour must be individual supervision if the certificate holder has 45 or fewer hour in the month of direct clinical contact with clients; or
 - (b) Three hours of direct supervision per month. At least 90 minutes must be individual supervision if the certificate holder has more than 45 hours in the month of direct clinical contact with clients.

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DIVISION 820

RENEWAL

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.
- (2) Certification renewal is valid for one year.
- (3) To avoid delinquency penalties, certification renewal must be made prior to the certification becoming inactive. The certification holder must:
 - (a) Submit a renewal application form;
 - (b) Attest to having obtained required annual continuing education, 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.
- (4) A certification may be inactive for up to three years. When renewing after entering inactive status, the certification holder must:
 - (a) Submit a renewal application form;
 - (b) Attest to having obtained required annual continuing education, whether the certification is current or inactive; and
 - (c) Pass a state criminal background check pursuant to OAR 331-030-0004; and
 - (d) Pay delinquency and certification renewal fees;
- (5) A certification that has been inactive for more than three years is expired and the certification holder must reapply and meet the current requirements.

331-820-0025

Certified Clinical Sexual Offense Therapists Without a Mental Health License

A CCSOT 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 CCSOT only if the person obtains an Oregon mental health professional license or equivalent license as determined by the Office by Jan. 1, 2021.

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DIVISION 830

CONTINUING EDUCATION

331-830-0010

Continuing Education Requirements

- (1) To maintain authorization, CCSOT, CSCSOT and CASOT must complete a minimum of 15 hours of continuing education every authorization year.
- (2) Credit hours obtained in excess of those required for the one-year reporting period cannot be carried forward.
- (3) Continuing education for CCSOT, CSCSOT and CASOT must address subject matter related to the following domains: Assessment, evaluation and treatment of clients.
- (4) 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, mindfulness activities, breaks, lunches or wrap up of the day.
- (5) Self-study, research, authorship, or teaching does not count toward CE credit for renewal of the authorization.
- (6) At renewal each authorization holder must document compliance with the continuing education requirements through attestation on the authorization renewal application.
- (7) 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.
- (8) 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.

331-830-0020

Continuing Education: Required Documentation, Audit and Sanctions

- (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

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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) Misrepresentation of continuing education or 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 authorization.

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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 constitutes unprofessional conduct, and a certificate holder engaging in such conduct may be subject to discipline under ORS 676.612.
- (3) All certificate holders must abide by confidentiality requirements pursuant to ORS 675.390.

331-840-0020

Ethical Principles

The Sexual Offense 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.

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(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 7 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: <https://www.atsa.com/contact-us>. 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 October 2019. A copy may be accessed at: <https://www.oregon.gov/oha/PH/HLO/Pages/Board-Sex-Offender-Treatment-Information.aspx>. 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: <https://www.oregon.gov/oha/PH/HLO/Pages/Board-Sex-Offender-Treatment-Information.aspx>. 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.
- (6) Certificate holders must seek a culturally specific or culturally responsive consultation when indicated.

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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.