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Director's Update

Greetings everyone! Finally, summer has arrived after a very wet winter and spring. Our State Capitol during the month of June is one of my favorite places to be. The weather is always mild and the cherry blossoms, when in full bloom, makes our State Capitol an especially beautiful place to be. Our board offices are only a five-minute drive from the Capitol and it's always nice to venture over there in June for business, or to meet a colleague for lunch and coffee.

MHRA has contracted with Keen Independent Research, LLC to conduct a diversity study as it relates to House Bill 5006. Our contractor will be diving into Licensing and Compliance policies, procedures, OARs and ORSs to determine if there are barriers to entry into the Counseling and Psychology professions, and once they have finalized their findings will be making recommendations to our Agency. Keen will be interviewing stakeholders and conducting surveys from licensees. This past week our office sent out a survey link from Keen, so be on the watch for a survey. Your input will help to shape Keen's recommendations.

Be sure to read the section on Administrative Rulemaking in this newsletter. House Bill 2359 (2021) requires specified providers to work with healthcare interpreters from the OHA registry, give personal protective equipment at no cost to interpreters, and maintain specified records.

Also, look at the proposed amendment to OAR 858-010-0300 as it relates to license renewal, failure to renew, lapse and reinstatement. It adds clarification around conditions and requirements for renewal, including deadlines, expiration dates, delinquent fee hardship waivers, license lapse, and reinstatement. It adds that the Board shall not consider a licensee's practice of psychology during the 30 days following license expiration date ("grace period") to be unlicensed practice. For license reinstatement, it requires that individuals disclose – rather than attest to not having engaged in – the unlicensed practice of psychology during the lapsed period.



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Director's Update, Cont.

Regarding continuing education, be sure to remember the new legislative requirement for 2 credits of Suicide Risk Assessment, Treatment and Management. Licensees who renew on or after July 1, 2022 must report this training within each reporting period.

The BOP has resumed in-person board meetings effective July 8, 2022. It is hard to believe that we conducted business via ZOOM for over two years during the height of COVID. Our first in-person board meeting went well as board members were able to get reacquainted and even meet new members in person for the first time. But we still offer the option for board members to attend virtually. This hybrid option applies to the public as well. Moving forward, members of the public will be able to attend our board meetings either in-person or virtually.

Have a lovely summer everyone and enjoy the warm summer days while they last.

– Charles Hill, Executive Director, Mental Health Regulatory Agency
“Plans are nothing, but planning is everything” – Dwight D. Eisenhower

Enforcement Actions

During the period of time from April 13, 2022, to July 11, 2022, the Board took the following actions:

Jacqueline Head, Psy.D (Licensee) is licensed by the Board to practice psychology in the State of Oregon. In 2010, Parent A and Parent B, a married couple, filed for divorce. This married couple had two children under the age of 5. The divorce proceedings were highly contentious. After the divorce had been finalized, the custodial arrangements for the children remained a significant point of contention between both parents. In April 2019, by stipulation accepted by the court, Parent A and Parent B agreed to joint custody and evenly divided parenting time. As part of the stipulation, Parent A and Parent B agreed to participate in family therapy with each other and the children. Both children were already in individual therapy with Therapist C. In April 2019, Licensee was retained to provide the family reunification therapy. In this capacity, Licensee testified and provided written reports to the court regarding the progress of the family reunification therapy. In a letter dated October 16, 2020, to one of the parents' attorneys in the course of the custody dispute, Licensee described "parental alienation" as a "mental condition" and listed criteria under the heading "Diagnosis of Alienated Children", which is not a diagnosis supported by the Diagnostic and Statistical Manual, Fifth Edition (DSM-5). In her role as a family reunification therapist, Licensee recommended to the court that the Parent B and the children attend a "parental alienation" workshop which was to be held over the course of four days at a facility located out-of-state in California. Licensee further recommended that the court issue an order placing the children in the sole custody of Parent B for a period of six months following the workshop, in order to facilitate the children ceasing to be alienated from Parent B. Licensee did not contact Therapist C to confer regarding the appropriateness of the "parental alienation" workshop for the children until after making the recommendation to the court. When Therapist C spoke with Licensee, the therapist expressed concerns about whether the "parental alienation" workshop would be advisable for the children, but Licensee did not communicate that to the court or otherwise modify her recommendation to incorporate Therapist C's professional concerns. In August 2021, the court rejected Licensee's recommendation as to the "parental alienation" workshop and discharged Licensee from her role as the family reunification therapist. The acts and conduct of Licensee described above constitute violations of ES 3.04, ES 3.09, ES 2.04, ES 9.01, and ORS 675.070(2)(d)(A). Licensee is ordered to practice under supervision for a minimum of one year and pay a civil penalty of \$3000.

Enforcement Actions, Cont.

Zakariah Schwartz, Ph.D (Licensee) is licensed by the Board to practice psychology in the State of Oregon. Husband A and Former Wife B married in 2006 and divorced in 2012; they had two children and continued to interact with respect to the children following the divorce, including litigating terms of parenting time and child support. In 2017, Husband A and Wife C were married. From November 2018 through May 2020, Licensee provided marriage therapy to Husband A and Wife C. On December 30, 2019, the court overseeing the parenting time and child support disputes between Husband A and Former Wife B issued an order which directed, among other things, that Husband A not keep firearms in his home. On or about April 2, 2020, Husband A petitioned the court to allow him to have firearms in his home. Husband A's petition was supported by a declaration signed by Licensee, dated March 31, 2020. In the Declaration, Licensee used the names of Husband A and Wife C without any redaction or indication of confidentiality. In the declaration, Licensee provided details on the therapy he provided to Husband A and Wife C. In the declaration, Licensee explains that he wrote the declaration at the request of Husband A, but does not memorialize any consent by Wife C to disclosure of her confidential information or of her participation in the creation of the affidavit. Licensee's chart notes between December 2019 and March 2020 contain no mention of Husband A's request for the declaration, Licensee's evaluation of the request, or consultation with Wife C about the declaration, its contents or her consent, if any, to disclosure. At no time did Licensee receive written consent from Wife C to the disclosure of her confidential information, such as disclosing the nature of therapeutic services she received from Licensee and topics raised in her marital counseling. The acts and conduct of Licensee described above constitute violations of ES 3.05 and ES 4.01. Licensee is ordered to practice under supervision for a minimum of six months and to pay a civil penalty of \$2000.675.020(1)(a) and ORS 675.070 (2)(h). Licensee is ordered to pay a civil penalty of \$500.

David Gleave, Psy.D (Licensee) is licensed by the Board to practice psychology in the State of Oregon. On March 14, 2018 Licensee entered into a stipulated order with the Board, which included a period of probation which was set to last for a minimum of two (2) years. On May 13, 2020 the Board issued a satisfaction order, ending his period of probation. On or about October 15, 2019 Licensee spoke with Patient A. Licensee learned from Patient A that the court had required Patient A to seek out a psychological evaluation as a prerequisite to Patient A restoring non-supervised contact with her minor children. On or about November 1, 2019, Licensee began the evaluation of Patient A, lasting 60 days. During that 60 day period, Licensee billed patient A's insurance company for services rendered. From January 2020 through January 18, 2021, Licensee scored and interpreted Patient A's psychological testing, completed contact interviews, and worked on his evaluation report. Licensee provided the evaluation report to Patient A approximately 15 months after conducting the intake interview, possibly impacting Patient A's ability to restore visitation with Patient A's minor children. Licensee attributed the delay in providing the evaluation report to a variety of disruptions from late 2019 through to today. Licensee neither admits nor denies, but the Board finds that Licensee engaged in the conduct described above, which violated ES 6.01. Licensee shall pay a civil penalty of \$1000, practice for a minimum of one year under supervision, and write a 1500-word self-reflective essay.

Enforcement Actions, Cont.

Zvi Strassberg, Ph.D (Licensee) is licensed by the Board to practice psychology in the State of Oregon. Licensee was licensed by the Board (License #1652) to practice psychology in Oregon from October 15, 2004 to June 30, 2021. Two attempts were made to remind Licensee that renewal needed to be completed by June 30, 2021. Licensee did not take steps to renew his license by June 30, 2021. On June 17, 2021, Licensee requested an extension of time to complete the continuing education (CE) credits required for license renewal based upon a hardship. On June 28, 2021, the Board notified Licensee that the deadline to complete their 40 CE credits for the current renewal period would be extended to August 30, 2021. On July 1, 2021, the Board emailed Licensee to inform him that his license was in late renewal status and that he could renew within a 30-day grace period. Licensee did not take steps to renew his license by July 30, 2021. On August 2, 2021, Licensee was notified by the Board that his license had expired. On August 26, 2021, Licensee submitted a reinstatement application, which was approved by the Board on September 3, 2021. Licensee saw clients in his capacity as a psychologist and engaged in the practice of psychology until at least August 30, 2021. Licensee allowed his license to lapse unintentionally due to his misunderstanding that the extension of time to complete his CE requirements did not automatically extend the timeline for him to file his renewal application. The acts and conduct of licensee described above constitute violations of ORS 675.020(1)(a) and ORS 675.070(2)(h). Licensee is ordered to pay a civil penalty of \$500.

Rachel Archer, Psy.D (Licensee) is licensed by the Board to practice psychology in the State of Oregon. Licensee was licensed by the Board (License #3140) to practice psychology in Oregon from September 9, 2009 to December 1, 2021. Two attempts were made to remind Licensee that renewal needed to be completed by November 30, 2021. Licensee did not take steps to renew her license by November 30, 2021. On December 1, 2021 the Licensee was given a 30-day grace period to renew her license. Licensee did not take steps to renew her license by December 31, 2021. On January 2, 2022, Licensee was notified that her license had expired. On January 11, 2022, Licensee applied for a new license, which was issued on March 2, 2022 (License #3511). On April 29, 2022, Licensee unequivocally acknowledged that she had unintentionally allowed her license to lapse and had practiced during the period when she did not have a current license. The acts and conduct of Licensee described above constitute violations of ORS.

Brian Parks, Ph.D. (Licensee) is licensed by the Board to practice psychology in the State of Oregon. Between January 1, 2017 and April 30, 2020, Licensee was employed as a psychologist at a clinical practice in Oregon. During the period of his employment, until approximately February 2, 2020, Licensee conducted therapeutic sessions with a number of patients, but he failed to adequately document approximately 1358 sessions involving approximately 50 individual patients. In cases where Licensee made session notes, his handwritten notes were not entered into the practice's electronic records system. Licensee did not complete the missing documentation until sometime after August 9, 2020. The acts and conduct of Licensee described above constitute a violation of Ethical Standard (ES) 6.01 Documentation of Professional and Scientific Work and Maintenance of Records. Licensee was ordered to practice under a supervisor, complete 3 hours of continuing education, and pay a civil penalty of \$3000.

Administrative Rulemaking

On May 13, 2022, the Board filed a Permanent Administrative Order for the following rule amendment (effective May 13, 2022):

Application approval process and Board ordered conditions

Amend OAR 858-010-0020: This amendment removes the requirement that applicants must satisfy any conditions ordered by the Board, including payment of any civil penalty, before the Board will approve the application.

On July 11, 2022, the Board filed a Permanent Administrative Order for the following rule adoption (effective July 11, 2022):

Adding Oregon Health Authority's Health Care Interpreter Registry requirements

Adopt OAR 858-010-0300: As a result of [House Bill 2359](#) (2021), the Board is mandated by Oregon Revised Statute 413.559(5) to adopt rules to carry out the requirements of ORS 413.559, which becomes operative on July 1, 2022. This rule adds a requirement for licensees, residents, and individuals granted a limited permit or temporary practice authorization to comply with the provisions of ORS 413.559 and OAR 333-002-0250 related to working with health care interpreters. This requires specified providers to work with health care interpreters from the OHA registry, give personal protective equipment at no cost to interpreters, and maintain specified records.

On July 11, 2022, the Board filed a Notice of Proposed Rulemaking for the following rule amendment:

License renewal, failure to renew, lapse, and reinstatement

Amend OAR 858-010-0041: This amendment updates the requirements for license renewal in accordance with the Board's recent implementation of an online renewal system. It adds clarifications around conditions and requirements for renewal, including deadlines, expiration dates, delinquent fee hardship waiver, license lapse, and reinstatement. It adds that the Board shall not consider a licensee's practice of psychology during the 30 days following license expiration date ("grace period") to be unlicensed practice. For license reinstatement, it requires that individuals disclose- rather than attest to not having engaged in- the unlicensed practice of psychology during the lapsed period.

The agency requests public comment on whether the options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business. Please email your comments to laree.felton@mhra.oregon.gov or mail them to the Board's office at 3218 Pringle Road SE, Ste. 130, Salem, OR 97302. All comments must be received no later than 5:00 p.m. on August 23, 2022.

Please visit our [Administrative Rulemaking Webpage](#) for more information.

Important Reminder! The new requirement for **2 credits of Suicide Risk Assessment, Treatment and Management** has begun. Licensees who renew on or after July 1, 2022 must report this training within each reporting period.

Obituary

Dr. Eric William Bergreen

February 25th, 1968—June 4th, 2022



Dr. Eric Bergreen: caring dog Dad, chef, devoted son, EROC, best brother and cousin, extraordinary friend, comedian, world traveler, movie connoisseur, track champion, thoughtful Psychologist, confidence builder...has left us too soon. Eric's spirit lifted skyward on Saturday, June 4, 2022 at 54 years young.

Most recently, Eric worked as a Clinical Psychologist in a private medical group practice. His dog Lil' Bear became a certified therapy dog and helped create a comforting environment for his clients. Before returning to Oregon in 2015, he served as a Consultant in the Soldier and Family Performance & Resilience program for the Army in Columbus, Georgia training soldiers how to reach their full potential while also learning skills in resiliency and recovery. Throughout his career, Dr. Bergreen specialized in performance and sports psychology and consulted with private clients, athletes, students, and business professionals. He used theories and techniques grounded in Cognitive Behavioral Psychology, Positive Psychology, and Performance Psychology to help people reach their therapeutic and life goals. He long believed in the importance of staying focused on what we wanted in life and thinking positively. As he said, "thinking differently is doing differently."

Eric earned two Bachelor of Science degrees: one from UCLA in Psychology and the other from the University of Oregon in General Science. He went on to earn a Master's degree in Clinical Psychology from the Arizona School of Professional Psychology. In 2006, he earned a PsyD in Clinical Psychology, also from ASPP, contributing a dissertation titled, Participation Motivation Factors for Collegiate Track and Field Throwers. During his undergraduate years at UCLA, he earned the title of NCAA National Champion in Shot Put, and achieved the All-American award in Shot Put and Hammer four times. He also had the honor of serving as the solo Track and Field Team Captain for a team of some of the best track and field athletes in the world, an honor normally shared by co-captains. In the last few years leading up to the pandemic, Eric traveled to Europe, Panama, India and experienced the aurora borealis in Alaska. Eric's love of cooking was only second to his love of making friends and bringing people together over the sharing of food.

Help us honor his life online <https://www.dignitymemorial.com/obituaries/portland-or/eric-bergreen-10789017> by lighting a virtual candle or posting a favorite photo or story about Eric. If you want to be contacted regarding the celebration of life, please email EROCnotifications@gmail.com with your contact information.

Action Requested- MHRA Diversity Audit, Please Provide Feedback

MHRA would like your feedback as we seek to ensure equitable processes and support diversity among behavioral health professionals in Oregon. We have engaged Keen Independent Research to conduct a diversity audit pertaining to Counselors, Therapists and Psychologists that will produce recommendations to help MHRA, OBOP and OBLPCT meet the changing needs of Oregon mental health consumers and support greater diversity in these professions.

Your participation is essential. A virtual workshop (similar to an online survey) is now available providing an easy way for you to give feedback to the study team at your convenience. Please take a few moments to respond by following this link:

<https://survey.alchemer.com/s3/6934377/Oregon-MHRA-Virtual-Workshop>

Early responses are very helpful to the study team, so we encourage you to answer as soon as possible. The Virtual Workshop will close at the end of July.

Please note, to ensure candid feedback, responses are reported in aggregate and will not be associated to individuals.

The study is endorsed by the Oregon Counseling Association, the Coalition of Oregon Professional Associations for Counseling and Therapy and the Oregon Psychological Association. To see their letters of support and for more information, please visit <https://www.keenindependent.com/OregonMHRADiversityAudit>.

Upcoming Events

July

7/4: Office Closed for Independence Day
7/8: Board Meeting
7/15: Education Committee Meeting

August

8/18: Consumer Protection Committee Meeting
8/19: Education Committee Meeting

September

9/5: Office Closed for Labor Day
9/9: Board Meeting
9/16: Education Committee Meeting

October

10/20: Consumer Protection Committee Meeting
10/21: Education Committee Meeting

November

11/4: Board Meeting
11/5: Board Strategic Planning Session
11/11: Office Closed for Veterans Day
11/18: Education Committee Meeting
11/24-11/25: Office Closed for Thanksgiving

December

12/15: Consumer Protection Committee Meeting
12/16: Education Committee Meeting
12/26: Office Closed for Holiday

Reminder! Contact information changes are now made in the [Licensee Portal](#). Please make sure to update your email address if it changes so that you continue to receive correspondence. You can view and download your license card and receipts, update your qualified person designation, and complete your biennial renewal via the Portal.

OBOP News is the official newsletter of the Oregon Board of Psychology and is edited by board staff. Please visit our website at Oregon.gov/psychology, email, or contact us with any comments or suggestions.

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