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NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 858

MENTAL HEALTH REGULATORY AGENCY

OREGON BOARD OF PSYCHOLOGY

FILED: 09/29/2026 12:36 PM

ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Implements SB 1547, licensed behavioral health and wellness practitioners; reorganization; updates; continuing education; applications; fees.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 10/22/2026 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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Filed By:

LaRee Stashek
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HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 10/22/2026

TIME: 2:00 PM - 4:00 PM

OFFICER: LaRee Stashek

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 253-205-0468

CONFERENCE ID: 84985262154

SPECIAL INSTRUCTIONS:

Passcode: 682784

One tap mobile

+12532050468,,84985262154#,,, *682784# US

+12532158782,,84985262154#,,, *682784# US (Tacoma)

Join instructions

<https://us06web.zoom.us/join/84985262154?signature=5b5gLTGNlz-zHtnwI0ZxRWdG3Z9F2i0ohgTSeefiLSQ>

NEED FOR THE RULE(S):

The Board must adopt rules to implement Senate Bill 1547 ahead of its January 1, 2027 operative date. This 2026 legislation established a new “licensed behavioral health and wellness practitioner” credential under the Board’s regulatory oversight. To achieve a functional and clear regulatory framework, this rulemaking reorganizes existing language, updates terminology, corrects references, and removes obsolete or redundant rules. The Board is modernizing continuing education requirements for all licensees to resolve observed areas of confusion. This rulemaking also amends the application process by replacing the mandatory one-year waiting period for denied applications with a case-by-case, discretionary approach.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

OAR Chapter 858 and ORS Chapter 675 are available linked to the OBOP website at <https://www.oregon.gov/Psychology/Pages/LawsRules.aspx>. Information about Senate Bill 1547 (2026) can be found on the Oregon Legislature website at <https://olis.oregonlegislature.gov/liz/2026R1/Measures/Overview/SB1547>. The Nevada Board of Psychological Examiners proposed rules can be found on the Nevada Legislature website at <https://www.leg.state.nv.us/Register/2026Register/R088-26P.pdf>.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

These rule changes are expected have an overall positive impact on racial equity in the State by expanding, diversifying, and modernizing Oregon's behavioral health pipeline. Implementation of the new behavioral health and wellness practitioner license type is projected to lower systemic entry barriers, paving the way for a more diverse pool of applicants to join the workforce. This expansion helps address shortages of culturally responsive care in historically underserved communities. Transitioning the mandatory one-year reapplication wait period following an application denial to a case-by-case, discretionary evaluation allows the Board to account for individual contexts and address inequities. On the other hand, flexibility may lower consistency, allowing for personal judgment and potential implicit bias. Reorganizing and clarifying continuing education requirements ensures that administrative standards are objective, accessible, and transparent, mitigating the potential for implicit bias or misinterpretation in regulatory compliance. Generally, ensuring a clear structure, current terminology and references, and contemporary standards ensures that the Board’s rules are accessible and easy for everyone to understand. This reduces the likelihood of misinterpretation or exclusion caused by vague or outdated language.

FISCAL AND ECONOMIC IMPACT:

Applicants for licensure as a behavioral health and wellness practitioner will pay a \$325 application fee (which includes the jurisprudence exam), a \$200 license renewal fee, and in the event of late renewal, a \$100 delinquent fee. The fiscal impact to the Board is expected to be revenue-neutral, as established fees must directly offset the administrative costs of regulating this license category.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

1) The Mental Health Regulatory Agency (MHRA) will incur minor administrative costs to update internal database systems and configure the online licensing platform. Because the fiscal impact of Senate Bill 1547 (2026) was determined to be minimal, the legislation did not provide MHRA with additional budgetary expenditure limitation. Consequently, all implementation tasks, including the temporary reallocation of staff time, must be absorbed within the agency's existing current resources. 2) Individual applicants seeking licensure and licensees will be directly impacted by the application and renewal fees detailed above, in addition to costs associated with education and training to meet licensure requirements. Licensees may select continuing education activities that have an associated cost, and this will vary. Small businesses, such as private mental health clinics that employ these practitioners, are not directly affected, though some may voluntarily absorb licensing costs as an employee recruitment or retention benefit. No additional reporting, equipment, or compliance costs are required to comply with these rules.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Members of the SB 1547 Rules Advisory Committee and the Board represent small businesses, and others are invited to provide input during the public comment period.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:

858-010-0001, 858-010-0002, 858-010-0018, 858-010-0020, 858-010-0065, 858-020-0025, 858-020-0045, 858-020-0055, 858-020-0075, 858-020-0085, 858-020-0096, 858-020-0115, 858-020-0116, 858-030-0005, 858-040-0015, 858-040-0024, 858-040-0025, 858-040-0026, 858-040-0035, 858-040-0036, 858-040-0045, 858-040-0055, 858-040-0065, 858-040-0070, 858-050-0010, 858-050-0020, 858-060-0010, 858-060-0020, 858-060-0030, 858-060-0040, 858-060-0050, 858-060-0060, 858-060-0070, 858-060-0080, 858-060-0090, 858-060-0100

AMEND: 858-010-0001

RULE SUMMARY: Removes definitions specific to psychology practice, to be relocated under Division 50, and adds definition of "semester hour." Retains definitions with chapter-wide applicability.

CHANGES TO RULE:

858-010-0001

Definitions ¶¶

~~(1) The practice of psychology is defined to include:¶¶~~

~~(a) "Evaluation" means assessing or diagnosing mental disorders or mental functioning, including administering, scoring, and interpreting tests of mental abilities or personality;¶¶~~

~~(b) "Therapy" means, but is not limited to, treating mental disorders as defined by the Fifth Edition, Text Revision of the Diagnostic and Statistical Manual of Mental Disorders (DSM-5 TR) published by the American Psychiatric Association;¶¶~~

~~(c) "Consultation" means conferring or giving expert advice on the diagnosis or treatment of mental disorders;¶¶~~

~~(d) "Supervision" means the ongoing process performed by a supervisor who monitors the performance of the person supervised and provides regular, documented individual consultation, guidance and instruction with respect to the skills and competencies of the person supervised.¶¶~~

~~(2) "ABPP" means the American Board of Professional Psychology.¶¶~~

~~(3) "APA" means the American Psychological Association.¶¶~~

~~(4) The following definitions apply to OAR Chapter 858.¶¶~~

~~(1) "Applicant" means a person who submits to the Board a complete application for licensure with the appropriate fees.¶¶~~

~~(5) "ASPPB" means the Association of State and Provincial Psychology Boards.¶¶~~

~~(6) "Board" means the Oregon Board of Psychology.¶¶~~

~~(7) "Candidate for Licensure" means a person who has satisfactorily completed the appropriate educational and experience requirements for licensure and has been deemed eligible by the Board to sit for the required~~

examinations.¶¶

~~(84)~~ "CE" means continuing education.¶¶

~~(9)~~ "Client" or "patient" means direct recipients of psychological services, which may include child, adolescent, adult, older adult, couple, family, group, organization, community, or any other individual.¶¶

~~(10)~~ "CPQ" means the Certificate of Professional Qualification in Psychology issued by the Association of State and Provincial Psychology Boards.¶¶

~~(11)~~ "EPPP" means the Examination for Professional Practice in Psychology developed and owned by the Association of State and Provincial Psychology Boards.¶¶

~~(12)~~ "Full-time graduate study" means six semester hours or nine quarter hours.¶¶

~~(13)~~ "HSPP" means the Health Service Provider in Psychology credential issued by the National Register of Health Service Providers in Psychology.¶¶

~~(14)~~ "Internship" means an ongoing, supervised and organized practical experience obtained in an integrated training program identified as a psychology internship. Other supervised experience or on-the-job training does not constitute an internship.¶¶

~~(15)~~ "NPDB" means the National Practitioner Data Bank maintained by the U.S. Department of Health and Human Services.¶¶

~~(16)~~ "Petitioner" means a person who submits to the Board a complete petition for licensure predetermination with the appropriate fee.¶¶

~~(17)~~ "Practicum" means a formal, pre-degree organized training experience designed to develop a foundation of clinical skills and professional competence with diverse client populations, and to prepare for more substantial responsibilities required in internship.¶¶

~~(18)~~ "Psychology program" means an integrated program of doctoral study designed to train professional psychologists to deliver services in psychology.¶¶

~~(19)~~ "Regionally accredited institution" means an educational institution that is accredited by one of the following six institutional (regional) accrediting agencies recognized by the United States Secretary of Education established to accredit senior institutions of higher education:¶¶

(a) Middle States Commission on Higher Education (MSCHE);¶¶

(b) New England Commission of Higher Education (NECHE);¶¶

(c) Higher Learning Commission (HLC);¶¶

(d) Northwest Commission on Colleges and Universities (NWCCU);¶¶

(e) Southern Association of Colleges and Schools Commission on Colleges (SACSCOC); and¶¶

(f) WASC Senior College and University Commission (WSCUC).¶¶

~~(208)~~ "Residency" means a post-terminal degree, supervised experience approved by the board.¶¶

~~(21)~~ "Specialty" means a defined area of psychological practice. the "Semester hour" means a unit of academic credit requires advanced knowledge and skills acquired through an organized sequence of edaling at least 15 hours of coursework instruction, and training. The advanced knowledge and skills specific to a specialty are obtained subsequent to the acquisition of core scientific and professional foundations in psychology is equivalent to 1.5 hours in a quarter-based academic term system.¶¶

~~(229)~~ "Supervision" means the ongoing process performed by a supervisor who monitors the performance of the person supervised and provides regular, documented individual and group consultation, guidance and instruction with respect to the skills and competencies of the person supervised.¶¶

~~(2310)~~ "Supervisor" means an individual who assumes full responsibility for the education and training activities of a person and provides the supervision required by such a person.¶¶

~~(24)~~ "Treatment" means services provided to an individual, group or organization for the purpose of improving mental health and/or alleviating behavioral, emotional or mental disorders.

Statutory/Other Authority: ORS 675.010 - 675.150, ORS 670.280(4)

Statutes/Other Implemented: ORS 675.110, ORS 670.280(4)

REPEAL: 858-010-0002

RULE SUMMARY: Repeals rule to renumber and amend as OAR 858-050-0020.

CHANGES TO RULE:

~~858-010-0002~~

~~Guidelines for Supervising Technicians~~

~~A licensee may delegate administration and scoring of tests to technicians as provided in ORS 675.010(4) if the licensee ensures the technicians are adequately trained to administer and score the specific test being used; and ensures that the technicians maintain standards for the testing environment and testing administration as set forth in the American Psychological Association Standards for Educational and Psychological Tests (1999) and Ethical Principles for Psychologists (2002).~~

~~Statutory/Other Authority: ORS 675.010-675.150~~

~~Statutes/Other Implemented: ORS 675.010~~

AMEND: 858-010-0018

RULE SUMMARY: Updates rule to accommodate new behavioral health and wellness specialist license type. Removes archaic rule that requires comingling confidential complaints with application files.

CHANGES TO RULE:

858-010-0018

Investigatory Powers ¶

(1) Additional Investigation. The Board shall not be limited in its investigation of an applicant's qualifications for licensure to the information supplied in the licensure application form and may direct additional investigation with respect to an applicant's qualifications prior to deciding whether or not the applicant is eligible to take ~~the EPPP or the Jurisprudence~~ an required examination ~~or and~~ enter into a ~~Residency contract.~~ ¶

~~(2) Record of Complaints. The Board shall review the Board's records of complaints and insert any reference to an applicant in the Supervision Contract (if applicant's file).~~ ¶

~~(3)~~ (2) State and National Databanks. The Board shall also make inquiry, if appropriate, of other state, national or foreign certification or licensure boards, the National Practitioner Databank (NPDB), ~~the~~ Association of State and Provincial Psychology Boards' Disciplinary Databank, or Oregon Judicial Case Information Network (OJCIN) for relevant information.

Statutory/Other Authority: ORS 675.040, 675.045, 675.050

Statutes/Other Implemented: ORS 675.040, 675.045, 675.050

RULE SUMMARY: Updates rule to accommodate new behavioral health and wellness specialist license type and updates references. Removes one-year wait for Board to review a second application if the first is denied. Clarifies that application extensions must be for good cause and that expired or denied applicants must reapply.

CHANGES TO RULE:

858-010-0020

Process and Disposition of Application for License ¶¶

(1) Application Review Procedure. When the application and all of the required supporting documents have been received, the application file shall be reviewed for eligibility. The reviewer shall either:¶¶

(a) Approve the application. When the reviewer determines the application is complete, a letter of approval shall be sent notifying the applicant of eligibility to take ~~the EPPP and the Jurisprudence~~ any required examination and to enter into a Residency Supervision Contract (if applicable).¶¶

(b) Deny the application. If the application is denied, the reviewer shall send the applicant a letter stating the reason.¶¶

(c) Board review. Under unusual circumstances, the application will be reviewed by the full Board for determination of disposition.¶¶

(d) Incomplete Application. If the application is incomplete, the reviewer shall notify the applicant.¶¶

(e) Request for Review. Applicants for licensure may request, in writing, that any decision by the reviewer be reconsidered by the Board.¶¶

(2) Active Application Period.¶¶

(a) An incomplete application is missing one or more of the items required under the applicable application procedure of OAR 858-0450-001470, 858-050-0080, 858-060-0030, or 858-0460-001740. The Board shall maintain an incomplete application file for one year from the date the application was received.¶¶

(b) A complete application has been approved by the reviewer, but the candidate for licensure has not completed the remaining requirements for licensure: the post-degree supervised work experience, ~~the EPPP, and/or the Oregon Jurisprudence Exam~~ (if applicable) and any required examination. The Board shall maintain a complete application file for two years from the date the application was approved.¶¶

(c) A file shall be presumed inactive and archived if correspondence from the Board is returned by the post office for reasons other than post office error.¶¶

(3) The Board may extend the active application period for good cause upon written request of the applicant, which must be received or postmarked prior to the expiration date. Failure to receive a courtesy reminder notice from the Board shall not relieve an applicant of the responsibility to timely request an extension.¶¶

(4) Reapplication. ~~If an application for licensure has been denied by the Board for any reason, the Board will not review a second application until at least one year has elapsed from~~ To be reconsidered for licensure, an applicant who fails to become licensed (expires) or is denied a license by the Board for any reason must file a new application, including applicable fees, and submit all documentation necessary to meet the standards for licensure in effect at the date of the previous denial, reapplication.¶¶

(5) Information Changes. An applicant must notify the Board immediately if any information submitted on the application changes, including but not limited to: name; address, email address, and telephone number; complaints; disciplinary actions; and, civil, criminal, or ethical charges and employment investigations which lead to termination or resignation. Failure to do so may be grounds for denial of the application or revocation of the license, once issued.¶¶

(6) Applicants must not make omissions or false, misleading or deceptive statements on any Board application form. Failure to disclose an arrest or conviction is a violation of ORS 675.070(2)(d) and (f) and may result in disciplinary action by the Board.

Statutory/Other Authority: ORS 675.040, 675.045, 675.050, 675.070

Statutes/Other Implemented: ORS 675.040, 675.045, 675.050, 675.070

AMEND: 858-010-0065

RULE SUMMARY: Update rule to accommodate new behavioral health and wellness specialist license type and current terminology.

CHANGES TO RULE:

858-010-0065

~~Resignation~~Retirement of License Holder ¶

(1) A person holding a valid Oregon license ~~to practice psychology issued by this Board~~ may voluntarily ~~resign~~retire their license by submitting a written resignation ~~with the to Board's Administrator Office.~~ ¶

(2) Submission of a voluntary ~~resignation~~retirement shall not affect investigations or disciplinary actions.

Statutory/Other Authority: ORS 675.070

Statutes/Other Implemented: ORS 675.070(2)(d)

AMEND: 858-020-0025

RULE SUMMARY: Updates rule to accommodate new behavioral health and wellness specialist license type and current terminology; some reorganizing.

CHANGES TO RULE:

858-020-0025

Complaints on Which the Board Can Act ¶¶

~~Any complaint submitted to the Board must be specific as to the conduct upon which the complaint is based and why this conduct is cause for a complaint. The Board will review and accept for consideration complaints that might affect it.~~ (1) The Board will review complaints, or circumstances of which the Board becomes aware, that concern:¶

(a) The licensure of psychologists and psychologist associates who are already professionals; conduct of current licensees or are applicants for licensure; complaints concerning p.¶

(b) Persons applying for or granted a limited permit or temporary practice authorization, or complaints that concern t.¶

(c) The possible practice of psychology by non-psychologists or unlicensed psychologists; unlicensed persons; or¶

(d) Improper or unauthorized use of titles regulated by the Board.¶

(2) A complaint concerning a licensed psychologist associate or psychologist resident or applicant may be regarded as a complaint against their supervisor.¶

(3) Any complaint submitted to the Board must be specific as to the conduct upon which the complaint is based and why this conduct is cause for a complaint. A complaint will be rejected if it does not allege a violation for which the Board has the grounds to impose sanctions pursuant to ORS 675.070, or Oregon Laws 2026, chapter 26, section 7.¶

(4) If authorized by ORS 676.160 to 676.180, a complaint may be referred to appropriate individuals or groups with the consent of the complainant.

Statutory/Other Authority: ORS 675.0710 - 675.150, 676.160 - 676.180

Statutes/Other Implemented: ORS 675.070(2), 675.110, Or Laws 2026, ch 26, § 7

RULE SUMMARY: Updates rule to accommodate new behavioral health and wellness specialist license type and makes technical fixes.

CHANGES TO RULE:

858-020-0045

Notice and Investigation Process ¶¶

(1) Notice to Respondent. The Board's Executive Director or designee shall notify the respondent by letter when a complaint is filed, or an investigation has been initiated, into respondent's conduct or practice. The notice letter shall provide the respondent with a citation to ~~the~~ laws and regulations that may apply to the investigation. The notice letter shall also set out the general allegations to be investigated. The investigator may modify the scope of the investigation as needed.¶¶

(2) Notice to Supervisors. When a complaint is filed against an individual acting under the supervision of another licensed ~~psychologist~~, the supervising ~~psychologist~~ licensee(s) may be notified about any investigation into the conduct of the supervisee that may affect the licensure of the supervisor(s). The Board may open a companion investigation naming the supervisor(s).¶¶

(3) Purpose of Investigation. The purpose of the investigation shall be to determine whether sufficient credible evidence exists of violation of rules or laws administered by the Board to justify issuance of a notice of intent to impose sanctions against a respondent or such other action as the circumstances may warrant.¶¶

(4) Scope of Investigation. The investigator may seek guidance as appropriate and necessary from individual Board members, the full Board, agency legal counsel, the Board's Executive Director, and the Consumer Protection Committee if the Board decides to operate with that structure.¶¶

(5) Cooperation. Failure by respondent to cooperate with a board investigation constitutes unprofessional conduct ~~under ORS 675.070(2)(d) or Oregon Laws 2026, chapter 26, section 7(2)(d)~~, and is grounds for disciplinary action.¶¶

(a) Cooperation by respondent includes:¶¶

(A) Submitting client records to the Board's investigator, with or without a signed release by the client, for a full investigation of the allegations presented in the notice letter;¶¶

(B) Sending a complete case file or other requested documents to the Board's investigator;¶¶

(C) Being available for a personal interview with the Board's investigator; and¶¶

(D) Responding truthfully and accurately to all questions presented by the Board's investigator.¶¶

(b) To cooperate with an investigation, respondents may not:¶¶

(A) Use threats or harassment to delay or obstruct any person in providing evidence in any investigation, contested case, or other legal action instituted by the Board;¶¶

(B) Use threats or harassment to obstruct or delay the Board in carrying out its regulatory functions;¶¶

(C) Deceive or attempt to deceive the Board with respect to any matter under investigation including altering or destroying any records;¶¶

(D) Attempt to influence the testimony or participation in an investigation of any person believed to be a complainant or witness in a Board investigation, or to permit or encourage another person to do so; or¶¶

(E) Engage in retaliation against another person for their participation in a Board investigation or provision of information to the Board.¶¶

(6) Duty of the Investigator. The investigator shall collect evidence, interview witnesses as the investigator determines is necessary, and make a written report to the Board.¶¶

(7) The Board may delay approving a licensure application, renewing a license, or issuing an initial license, limited permit, or temporary practice authorization if the person has a complaint under investigation until the complaint has been resolved.¶¶

(8) Licensees, applicants, and persons granted a limited permit or temporary practice authorization must comply with the terms of all Board orders and agreements.¶¶

(a) Failure to comply with one or more terms of a Board order or agreement constitutes ~~a violation of ORS 675.070(2)(d)~~ unprofessional conduct under ORS 675.070(2)(d) or Oregon Laws 2026, chapter 26, section 7(2)(d) and is grounds for disciplinary action.¶¶

(b) The Board will not approve any license renewal or request to reactivate a license from inactive status to active or semi-active status if the licensee is not in compliance with one or more terms of any Board order or agreement.¶¶

(9) If a resident is the subject of an investigation or a report pursuant to OAR 858-010-0036(5)(e), the Board may take any or all of the following actions, in addition to or instead of any other disciplinary action the Board is otherwise authorized to take:¶¶

- (a) Identify a new supervisor to work with the resident;¶¶
- (b) Extend the period of residency by a specified number of hours or months;¶¶
- (c) Require the resident to consult with the resident's supervisor about a particular topic or topics;¶¶
- (d) Require additional training for the resident;¶¶
- (e) Place the residency on hold; or¶¶
- (f) Deny the resident a license.

Statutory/Other Authority: ORS 675.020, 675.030, 675.070, 675.110

Statutes/Other Implemented: ORS 675.020, 675.030, 675.070, 675.110

AMEND: 858-020-0055

RULE SUMMARY: Updates references and other technical adjustments.

CHANGES TO RULE:

858-020-0055

Investigators Report to the Board ¶

(1) When the investigation is complete, the investigator will make an investigation report to the Board, in accordance with the timeline and procedures outlined in ORS ~~183.310 to 183.500~~ Chapter 183 and 676.160 to 676.180, and ~~shall clearly~~ the report shall set forth the issues on which the Board ~~should~~ may consider possible action.¶

(2) The Board shall consider the investigator's report and the standards for disciplinary actions under its statutes and ~~OAR 858-010-0075~~ rules. The Board may:¶

(a) Dismiss the complaint;¶

(b) Continue the investigation; or¶

(c) Commence procedures for imposing sanctions.

Statutory/Other Authority: ORS ~~675.410~~ 675.085, 675.110, 676.165

Statutes/Other Implemented: ORS ~~675.410~~ 675.085, 675.110, 676.165

AMEND: 858-020-0075

RULE SUMMARY: Updates references and adjusts rule to accommodate new behavioral health and wellness specialist license type.

CHANGES TO RULE:

858-020-0075

Contested Case Hearings ¶¶

(1) When the Board institutes disciplinary actions, notice of proposed actions must be served on the respondent(s) or the respondent's legal counsel by certified mail, return receipt.¶¶

(2) The notice shall comply with ORS 183.411 to 183.497, and shall state that the respondent has the right to request a contested case hearing by filing an answer to the notice of disciplinary action and written request for hearing within 30 days of the mailing of the notice.¶¶

(3) Failure to request a hearing within 30 days of the mailing of the notice of disciplinary action shall be deemed a default and a final order shall be issued by the Board.¶¶

(4) A contested case hearing will be conducted by an ~~impartial~~ administrative law judge ~~who has not been involved in the initial investigation of the complaint~~ from the Office of Administrative Hearings, in accordance with ORS ~~183.310~~183.411-~~183.550~~183.471 and the Board's Notice of Rights and Procedures.¶¶

(5) Only the Board may order testimony be taken by deposition.¶¶

(6) All hearings shall be conducted in-person in Salem, Oregon, unless a different location or virtual or telephonic format is stipulated to by all parties and approved by the Board's designated representative.¶¶

(7) Contested case hearings are closed to the public.¶¶

(8) The Board's disciplinary and suspension cases brought under ORS 675.070 or Oregon Laws 2026, chapter 26, section 7 are exempt from the requirements of OAR 137-003-0655(7), which requires an agency to give written notice to the administrative law judge and all parties of the date by which the agency expects to issue an amended proposed order or a final order if the agency will not issue an amended proposed order or final order within 90 days of the proposed order. Due to the complexity of Board cases and the infrequency of regularly scheduled Board meetings, 90 days is an insufficient time for the Board to issue an amended proposed order or a final order.

Statutory/Other Authority: ORS 183.425(2), ~~ORS 675.110, ORS 183.425(1), 675.085, 675.110~~

Statutes/Other Implemented: ORS 183.425(2), ~~ORS 675.110, ORS 183.425(1), 675.085, 675.110~~

AMEND: 858-020-0085

RULE SUMMARY: Updates rule to accommodate new behavioral health and wellness specialist license type and adds reference.

CHANGES TO RULE:

858-020-0085
Board Records **II**

If the Board determines to take disciplinary action in accordance with ORS 675.070 or Oregon Laws 2026, chapter 26, section 7 to restrict, suspend, or revoke a license, notice to this effect will be published in a Board publication and ~~published~~ on the Board's website. Final disciplinary actions will also be reported to the National Practitioner Databank ~~and in accordance with 42 U.S.C. § 1396r-2, and if applicable, to the Association of State and Provincial Psychology Boards' Disciplinary Databank.~~

Statutory/Other Authority: ORS 675.110

Statutes/Other Implemented: ORS 675.110

AMEND: 858-020-0096

RULE SUMMARY: Updates rule to accommodate behavioral health and wellness specialist new license type.

CHANGES TO RULE:

858-020-0096

Representations to the Board

(1) Policy. To carry out its public protection mandate, the Board must ensure the accuracy, integrity, and authenticity of its processes and the information it receives and relies upon to make decisions. This rule applies to all licensees, residents, temporary practitioners, and applicants; (collectively, "subjects").¶¶

(2) Subjects must not make any omission or false, misleading, or deceptive statement in any correspondence or form submitted to the Board. ¶¶

(3) Subjects must provide accurate and complete responses to all questions asked by the Board in any context, including but not limited to character and fitness disclosures, criminal history information, history of education and supervised clinical experience, attestations, and certifications.¶¶

(4) Subjects submitting licensing and renewal applications must not authorize, direct or permit any third party to submit substantive responses on the subject's behalf to any question asked by the Board pertaining to the application. Nothing in this rule precludes a subject from receiving clerical or technical assistance, including translation services, reasonable accommodations for disability, or independent legal advice, provided that the subject personally determines and supplies the substantive contents of the responses.¶¶

(5) Failure to comply with any provision of this rule, or misrepresentation of compliance, constitutes unprofessional conduct per ORS 675.070(2)(d) or Oregon Laws 2026, chapter 26, section 7(2)(d) and fraud or material misrepresentation per ORS 675.070(2)(f) or Oregon Laws 2026, chapter 26, section 7(2)(e) and may be grounds for disciplinary action.

Statutory/Other Authority: ORS 675.010 - 675.150, Or Laws 2026, ch 26

Statutes/Other Implemented: ORS 675.030, 675.070, 675.110, Or Laws 2026, ch 26, § 2, Or Laws 2026, ch 26, § 7

REPEAL: 858-020-0115

RULE SUMMARY: Removes an obsolete pandemic-era rule. EO 20-03 expired on April 1, 2022, and OHA requirements for masking and vaccination were rescinded in 2023.

CHANGES TO RULE:

~~858-020-0115~~

~~Compliance with Governors Executive Orders~~

~~(1) During a Governor declared emergency, unprofessional conduct includes failing to comply with any applicable provision of a Governor's Executive Order or any provision of this rule.¶¶~~

~~(2) Failing to comply as described in subsection (1) includes, but is not limited to:¶¶~~

~~(a) Engaging in the practice of a profession required by an Executive Order to be closed;¶¶~~

~~(b) Operating a business required by an Executive Order to be closed;¶¶~~

~~(c) Failing to comply with the requirements of Oregon Health Authority (OHA) guidance implementing an Executive Order, including but not limited to:¶¶~~

~~(A) Failing to screen clients in accordance with OHA guidance prior to providing services;¶¶~~

~~(B) Failing to limit the number of individuals inside the premises or implement other protocols necessary to maintain physical distancing of six (6) feet;¶¶~~

~~(C) Failing to implement OHA guidance on mask and face coverings; and¶¶~~

~~(D) Failing to clean and disinfect in accordance with OHA guidance.¶¶~~

~~(d) Failing to comply with any requirements of a Board of Psychology guidance implementing an Executive Order.¶¶~~

~~(3) No disciplinary action or penalty action shall be taken under this rule if the Executive Order alleged to have been violated is not in effect at the time of the alleged violation.¶¶~~

~~(4) The Board may impose sanctions for violations of this rule in accordance with ORS 675.070.¶¶~~

~~Note: Copies of the Governor's Executive Orders are available at:~~

~~<https://www.oregon.gov/gov/admin/Pages/executive-orders.aspx>¶¶~~

~~Copies of Oregon Health Authority Guidance are available at: <https://govstatus.egov.com/OR-OHA-COVID-19>~~

~~Statutory/Other Authority: ORS 675.070, ORS 675.085, ORS 675.110~~

~~Statutes/Other Implemented: EO 20-03~~

REPEAL: 858-020-0116

RULE SUMMARY: Removes an obsolete pandemic-era rule. OHA requirements for masking and vaccination were rescinded in 2023.

CHANGES TO RULE:

~~858-020-0116~~

~~Compliance with the Oregon Health Authority's COVID-19 Requirements~~

~~(1) The Oregon Health Authority (OHA) has adopted certain rules to control the communicable disease COVID-19. Unprofessional conduct includes failing to comply with any applicable provision of an OHA COVID-19-related rule or any provision of this rule.¶¶~~

~~(2) Failing to comply as described in subsection (1) includes, but is not limited to:¶¶~~

~~(a) Failing to comply with OHA's rules requiring masks, face coverings or face shields, including OAR 333-019-1011, OAR 333-019-1015, and OAR 333-019-1025, if applicable; and¶¶~~

~~(b) Failing to comply with OHA's rules requiring vaccinations, including OAR 333-019-1010 and OAR 333-019-1030.¶¶~~

~~(3) No disciplinary action or penalty action shall be taken under this rule if the rule alleged to have been violated is not in effect at the time of the alleged violation.¶¶~~

~~(4) The Board may impose sanctions for violations of this rule in accordance with ORS 675.070.~~

~~Statutory/Other Authority: ORS 675.010–675.150, ORS 676.160–676.180~~

~~Statutes/Other Implemented: ORS 675.070, ORS 675.085, ORS 675.110~~

AMEND: 858-030-0005

RULE SUMMARY: Adds licensure fees for the new behavioral health and wellness specialist license type. Removes duplicative renewal and delinquent fee procedural information that is found in Divisions 10 & 50.

CHANGES TO RULE:

858-030-0005

Fees ¶

- (1) License application: \$325¶
 - (2) Psychologist Jurisprudence Examination: \$155¶
 - (3) ~~License Fees¶~~
 - ~~(a) Biennial license renewal fee, as:¶~~
 - ~~(a) Active psychologist and psychologist associate: \$600.¶~~
 - ~~(b) Biennial license renewal, sSemi-active psychologist and psychologist associate: \$300.¶~~
 - ~~(c) Biennial license renewal fee, iinactive psychologist and psychologist associate: \$90.¶~~
 - ~~(d) The Board shall renew licenses on a biennial birth month renewal schedule~~Behavioral health and wellness practitioner: \$200.¶
 - ~~(e) The Board shall impose a dDelinquencyt fee of \$210 for licenses renewed within thirty days after the stated due dates:¶~~
 - ~~(a) Psychologist and psychologist associate: \$210.¶~~
 - ~~(f) The Board shall have discretion to waive the delinquency fee in documented hardship cases~~Behavioral health and wellness practitioner: \$100.¶
 - ~~(4) Limited Permit: \$120¶~~
 - ~~(5) Temporary Practice Authorization: \$700¶~~
 - ~~(6) Petition for Licensure Predetermination: \$125¶~~
 - ~~(7) Miscellaneous Fees. Most materials and information are available through the Board website at www.oregon.gov/psychology or may be purchased in accordance with ORS 192.324.¶~~
 - (a) Certified verification of licensure: \$5¶
 - (b) Certified transfer of application information: \$20¶
 - (c) Student loan deferment letter: \$5¶
 - (d) Duplicating request: \$2.50 for the first five copies; \$.25 for each copy thereafter¶
 - (e) Laws and administrative rules: \$5¶
 - (f) Electronic file of mailing labels: \$35¶
 - (g) Application packet, including laws and administrative rules: \$10¶
 - (h) Duplicate wall display certificate of licensure: \$12¶
 - (i) Certified duplicate license: \$10¶
 - (j) Cumulative disciplinary report: \$7.50
- Statutory/Other Authority: ORS 675.110, ORS 675.115, ORS 670.280(4)(a)
Statutes/Other Implemented: ORS 675.110, ORS 675.115, ORS 670.280(4)(a)

RULE SUMMARY: Adds new continuing education related definitions and reorganizes language for clarity and brevity. Removes redundant renewal procedures that are found in Divisions 10 & 50, and relocates psychology-specific requirements to OAR 858-040-0025.

CHANGES TO RULE:

858-040-0015

Basic Requirements ¶

(1) ~~Licensees must earn at least 40 e~~Definitions.¶

~~(a) "Continuing eEducation credits during the period between license renewals. Continuing education credit must be reported as follows:¶~~

~~(a) Licensees must submit a Renewal Notice and Reporting Affidavit to the Board office with the fee on or before the due date printed on the notice" (CE) means structured educational activity that contributes directly to the professional competence of a licensee.¶~~

~~(b) "Reporting period" means the 24-month period between license renewals.¶~~

~~(b) An unsigned or incomplete Renewal Notice and Reporting Affidavit shall be returned to the licensee.¶~~

~~(2) New Licensees. TOne "credit" of continuing education means one hour (60 minutes) spent in a program meeting the re-is no requirements for continuing education reporting required for individuals licensed twelve months or less on.¶~~

~~(A) Credit may be awarded in one-quarter (.25) increments for a minimum of 15 minutes.¶~~

~~(B) Credits exclude refreshment breaks, receptions and otheir first renewal datesocial gatherings, program evaluations, learning assessments, and meals.¶~~

~~(3d) All active and semi-active licensees must complete the following minimum requirements in each reporting period:¶~~

~~(a) Four credits of professional ethics and/or Oregon State laws and regulations related to the practice of psychology;¶~~

~~(b) One credit of e"Home Study" means independent, asynchronous learning activities completed without real-time instructor interaction that includes reading or listening to pre-recorded professional materials followed by completion of an examination or other assessment designed to measure comprehension.¶~~

~~(e) "Live Continuing eEducation dedicated to the topic of pain management. The one-hour web-based Pain Management Module provided by the Oregon Pain Management Commission satisfies this requirement;" means synchronous learning involving real-time interaction with an instructor or presenter, including in-person or live virtual formats.¶~~

~~(ef) Four credits of continuing education dedicated to the topic of cultural competency; and¶~~

~~(d) Effective July 1, 2022: Two credits of continuing education dedica"Publication Activity" means the authorship by a licensee of professional written work that contributeds to the topic of suicide risk assessment, treatment, and managementbody of knowledge in the field.¶~~

~~(42) No eContinuing education creporting is required fordit must be reported as part of a licensees requestnewal, ing a change from active or semi-active to inactive status.¶~~

~~(5) No continuing education reporting is required for inactive licensees, form and manner prescribed by the Board¶~~

~~(63) The Board may grant exemptions in whole or in part from continuing education requirements, including extension of deadlines, in documented hardship cases.~~

Statutory/Other Authority: ~~ORS 675.110~~

Statutes/Other Implemented: ~~ORS 675.110(14)~~

ADOPT: 858-040-0024

RULE SUMMARY: Establishes continuing education requirements for licensed behavioral health and wellness practitioners.

CHANGES TO RULE:

858-040-0024

Requirements for Behavioral Health and Wellness Practitioners

(1) Licensees must complete a minimum of 20 total continuing education credits, including the following minimum categorical requirements, within each reporting period:¶

(a) 4 credits of professional ethics and/or Oregon State laws and regulations related to the licensed practice of behavioral health promotion, prevention, and brief intervention.¶

(b) 2 credits dedicated to the topic of cultural competency; and¶

(c) 1 credit dedicated to the topic of suicide risk assessment, treatment, and management.¶

(2) No continuing education reporting is required for new licensees who have been licensed 12 months or less on their first renewal date.

Statutory/Other Authority: ORS 675.110

Statutes/Other Implemented: ORS 675.110(14)

AMEND: 858-040-0025

RULE SUMMARY: Repurposes redundant continuing education reporting rule to contain the continuing education requirements for psychologists and psychologist associates, with some reorganization for improved clarity.

CHANGES TO RULE:

858-040-0025

Continuing Education Reporting Requirements for Psychologists and Psychologist Associates

~~(1) Before a license will be renewed under ORS 675.110, a licensee must submit a Renewal Notice and Reporting Affidavit. All active and semi-active licensees must complete a minimum of 40 total continuing education credits, including the following minimum categorical requirements, within each reporting period:¶~~

~~(2a) A copy of the Renewal Notice and Reporting Affidavit is available on the Board's website.¶~~

~~(3) Renewal Notice and Reporting Affidavits must be postmarked by the due date printed on the notice. Burden of proof of mailing is on the licensee. Four credits of professional ethics and/or Oregon State laws and regulations related to the practice of psychology;¶~~

~~(b) One credit of continuing education dedicated to the topic of pain management. The one-hour web-based Pain Management Module provided by the Oregon Pain Management Commission satisfies this requirement;¶~~

~~(c) Four credits dedicated to the topic of cultural competency; and¶~~

~~(d) Two credits dedicated to the topic of suicide risk assessment, treatment, and management.¶~~

~~(2) Exceptions. No continuing education reporting is required for:¶~~

~~(a) Licensees on or changing to inactive status.¶~~

~~(b) New licensees who have been licensed 12 months or less on their first renewal date.~~

Statutory/Other Authority: ~~ORS 675.110, ORS 413.590, 676.850, 676.866~~

Statutes/Other Implemented: ~~ORS 675.110(14), ORS 413.590, 676.850, 676.866~~

AMEND: 858-040-0026

RULE SUMMARY: Removes summary continuing education documentation requirements that are redundant of other Division 40 rules. Clarifies and updates language to conform with modern audit procedures.

CHANGES TO RULE:

858-040-0026

Continuing Education Random Audit ¶

(1) The Board will conduct ~~a random audit of~~ periodic audits of randomly selected licensees for continuing education compliance ~~each year~~. Audited licensees will be notified ~~by letter~~ and given 60 days to respond. Submissions must be postmarked or received by the stated due date to be considered timely. ~~Licensed~~ Audited licensees holds the burden of proof of ~~mailing~~ submission. ¶

(2) Unless the licensee is contacted for an audit, evidence of completion should not be sent to the Board, but must be retained by the licensee for a minimum of two years after the reporting period. ¶

(3) To obtain credit during an audit, the following information must be ~~typed or printed~~ provided in legible form provided on the Board's Continuing Education Audit Report: ¶

(a) Activity title ~~;~~ For multi-session or multi-day activities, titles of separate sessions attended; ¶

(b) ~~Dates attended~~ Activity dates, including month, day, and year; ¶

(c) ~~Organization sponsoring the program;~~ Name of sponsoring organization/publisher. ¶

(d) Full name and degree of qualified instructor or discussion leader; ¶

(e) ~~Hours claimed according to OAR 858-040-0055.~~ ¶

(f) ~~To obtain credit for writing published articles and books, the following information must be provided on the Continuing Education Audit Report as follows:~~ ¶

(A) ~~Publisher;~~ ¶

(B) ~~Title of publication;~~ ¶

(C) ~~Dates of publication; and~~ ¶

(D) ~~Hours claimed according to OAR 858-040-0055~~ Credits claimed for the activity. ¶

(4) If a licensee fails to provide adequate documentation or submits an incomplete Audit Report, the licensee shall be so notified and granted a period of 30 days to provide the missing information.

Statutory/Other Authority: ORS 675.110

Statutes/Other Implemented: ORS 675.110(14)

RULE SUMMARY: Specifies that this rule is for psychologists and psychologist associates to differentiate from a separate rule applicable to the new licensed behavioral health and wellness practitioner continuing education program qualifications. Makes language updates and some reorganization for improved clarity. Adds methodology for crediting home study courses that involve reading material and publication activities, and clarifies ethics committee meeting qualifications.

CHANGES TO RULE:

858-040-0035

Programs Which Qualify for Continuing Education Credit
Qualifying Programs for Psychologists and Psychologist Associates ¶

Policy. Acceptable continuing education must be a learning activity which contributes directly to the professional competence of the licensee.¶

(1) Program Prerequisites. Continuing Education programs shall qualify for credit if:¶

(a) The subject matter deals primarily with substantive psychological issues, skills, or Oregon laws, rules and ethical standards related to one's role as a psychologist or psychologist associate.¶

(b) The program is conducted by a qualified instructor or discussion leader. ~~A qualified instructor or discussion leader is,~~ which means a person whose background, training, education, or experience makes it appropriate for the person to make a presentation or lead a discussion on the subject matter; and¶

(c) ~~A record of attendance, such as a certificate~~ Evidence of completion; is obtained and/or documented in accordance with OAR 858-040-0065.¶

(2) Qualifying Programs. The following shall qualify for continuing education credit, provided that they comply with all other CE requirements:¶

(a) Live continuing education programs.¶

(A) Substantive professional development programs of recognized mental health organizations;¶

~~(B) University or college courses taken at accredited universities and colleges. Each classroom hour shall equal one qualifying hour;~~ 15 credits shall be awarded per semester credit, or 10 credits per quarter credit.¶

~~(C) Formally organized work-place educational programs;~~¶

~~(D) Formally organized study groups that comply with the following;~~¶

~~(i) At least two other mental health professionals attend;~~¶

~~(ii) The study group prepares and preserves a syllabus of meeting dates and study topics in advance;~~¶

~~(C and~~¶

~~(iii) A record is kept of each study group meeting. The record must include the names of the participants present, the subject matter and references which relate to any written material utilized;~~ and.¶

~~(e) Home Study including internet and tele-courses~~ courses. For reading study programs, one credit shall be awarded for each 6,000 words- or incrementally at one quarter (.25) credit per minimum 1,500 words- of reading actual instructional content, which excludes non-substantive materials such as advertisements, citations, indexes, reference lists, learning evaluations or assessments, or filler content.¶

~~(f) Published articles and books authored or co-authored by the licensee~~ education activity: authorship or co-authorship of articles and books that are published in a professionally recognized, peer-reviewed publication. Five credits shall be awarded per article or chapter; 20 credits for an entire book.¶

~~(g) Lecturer: Service as an instructor, discussion leader, or speaker.~~¶

(A) Lecturer credit may be claimed for work that is either paid or unpaid.¶

(B) Lecturer credit shall be allowed for the first time a course is taught. No credit shall be allowed for repeat presentations unless an instructor can demonstrate that the program content was substantially changed and such change required significant additional study or research.¶

~~(h) Service as an Oregon Board of Psychology member or committee volunteer.~~¶

~~(i) Participation in formal ethics committee meetings of professional associations.~~¶

~~(j) Formal trainings on office records organization, records maintenance and security procedures, or billing software instruction;~~ state or nationally recognized professional associations (e.g., the Oregon Psychological Association's Ethics Committee or the American Psychological Association). Topics covered must be substantively based psychological practice dilemmas, professional ethics, and/or Oregon State laws and regulations related to the practice of psychology.¶

~~(k) Reading books or articles from peer-reviewed journals (home study)~~ Self-directed reading credit. One hour of continuing education credit shall be given for reading 100 book pages or four peer-reviewed articles.

Statutory/Other Authority: ORS 675.110
Statutes/Other Implemented: ORS 675.110(14)

AMEND: 858-040-0036

RULE SUMMARY: Repurposes rule to specify new continuing education program qualifications for new licensed behavioral health and wellness practitioners.

CHANGES TO RULE:

858-040-0036

~~Programs Which Do Not Qualify for Continuing Education Credit~~Qualifying Programs for Behavioral Health and Wellness Practitioners ¶

~~(1) Marketing, investments, and practice building strategies~~Policy. Acceptable continuing education must be a learning activity which contributes directly to the professional competence of the licensee. ¶

~~(2) Yoga, therapeutic massage;~~Program Prerequisites. Continuing Education programs shall qualify for credit if: ¶

~~(3) Non-Clinical administrative staff meetings;~~ ¶

~~(4) Word processing computer skills;~~The subject matter deals primarily with substantive issues, skills, or Oregon laws, rules and ethical standards related to one's role as a behavioral health and wellness practitioner. ¶

~~(5) Therapies which are not widely recognized as within the scope of practice of psychology, through research or scientifically demonstrated clinical effectiveness;~~program is conducted by a qualified instructor or discussion leader, which means a person whose background, training, education, or experience makes it appropriate for the person to make a presentation or lead a discussion on the subject matter; and ¶

~~(c) Evidence of completion is obtained and/or documented in accordance with OAR 858-040-0065.~~ ¶

~~(2) Qualifying Programs. The following shall qualify for continuing education credit, provided that they comply with all other CE requirements:~~ ¶

~~(a) Live continuing education programs.~~ ¶

~~(A) Substantive professional development programs of recognized mental health organizations.~~ ¶

~~(B) University or college courses taken at accredited universities and colleges. 15 credits shall be awarded per semester credit, or 10 credits per quarter credit.~~ ¶

~~(6) Programs that are completed to fulfil the terms of a Board order or agreement do not qualify towards the~~Formally organized workplace educational programs. ¶

~~(b) Home Study courses. One credit shall be awarded for each 6,000 words- or incrementally at one quarter (.25) credit per minimum 1,500 words- of reading actual instructional content, which excludes non-substantive materials such as advertisements, citations, indexes, reference lists, learning evaluations or assessments, or filler content. Credit shall be attributed only to the reporting period in which the assessment is completed, regardless of when any reading or other preparation occurred.~~ ¶

~~(c) Self-directed reading credit. One hour of continuing education requirements for licensure renewal or reinstatement~~dit shall be given for reading 100 book pages or four peer-reviewed articles. ¶

~~(3) Credits may include formal trainings on office records organization, records maintenance and security procedures, or billing software instruction.~~

Statutory/Other Authority: ORS 675.110

Statutes/Other Implemented: ORS 675.110(14)

ADOPT: 858-040-0045

RULE SUMMARY: Relocates non-qualifying continuing education activities from OAR 858-040-0036, and updates the list of activities.

CHANGES TO RULE:

858-040-0045

Non-qualifying Activities

(1) Activities which do not qualify for continuing education credit include:¶

(a) Marketing, investments, and practice-building strategies.¶

(b) Yoga, Pilates, therapeutic massage, or martial arts.¶

(c) Staff meetings, supervision, or consultation.¶

(d) Word processing computer skills.¶

(e) Organizing or participating in awareness campaigns.¶

(f) Blogs, vlogs, or podcasts.¶

(g) Nutrition or self-help courses.¶

(h) Program content that is outside of a licensee's authorized scope of practice or that lacks a demonstrable basis in established research, evidence-based practice, or generally accepted professional standards.¶

(2) Programs that are completed to fulfill the terms of a Board order or agreement do not qualify towards the continuing education requirements for licensure renewal or reinstatement.

Statutory/Other Authority: ORS 675.110

Statutes/Other Implemented: ORS 675.110(14)

RULE SUMMARY: Specifies new continuing education (CE) credit limitations for new licensed behavioral health and wellness practitioners. For psychologists and psychologist associates, clarifies how CE credit is awarded for qualifying CE programs, including which reporting period some types of programs must be attributed to. Reorganizes and amends categorical CE limitation language for clarity. Adds new four-credit limitation for office records organization, records maintenance and security procedures, or billing software instruction.

CHANGES TO RULE:

858-040-0055

Credit Hours Granted ¶

(1) Credit shall be given for actual hours attended, unless otherwise specified in OAR 858-010-040-0035 or 858-040-0036.¶

(2) Credit shall be ~~given for no more than 20 hours of continuing education for home study and study group hours combined in~~ attributed only to the reporting period in which the meeting or presentation occurred, the article or book is published, or the assessment (exam) is completed, regardless of when any drafting, research, reporting period. ~~This limitation is temporarily suspended for renewals that are due between March 31, 2020 and July 31, 2022.~~¶

~~(3) An instructor, discussion leader, or speaker shall be given~~ adding, or other preparation occurred.¶

(3) Credit Limitations for Psychologists and Psychologist Associates.¶

(a) Credit shall be given for no more than 20 credits of continuing education for home study courses, self-directed reading, and study group hours combined in each reporting period.¶

(b) For lecturer credit, up two hours of two credits for preparation may be given for each one hour of presentation time, and one hour of in addition to one credit for each hour of presentation time.¶

~~(4c) Credit shall be given for no more than 20 hour credits of continuing education for service as an instructor, discussion leader, or speaker~~ lecturer and published material combined in each reporting period.¶

~~(5d) One hour of continuing education credit shall be given for reading 100 book pages or four peer-reviewed articles. C~~ Self-directed reading credit shall be given for no more than four hour credits (400 book pages or 16 articles) of reading in each reporting period. No more than two hours of reading may be used to fulfill the professional ethics continuing education requirement.¶

(e) Credits may include no more than four credits of formal training on office records organization, records maintenance and security procedures, or billing software instruction combined in each reporting period.¶

(4) Credit Limitations for Behavioral Health and Wellness Practitioners.¶

(a) Credit shall be given for no more than 10 credits of continuing education for home study courses and self-directed reading combined in each reporting period.¶

(b) Self-directed reading credit shall be given for no more than two credits (200 book pages or eight articles) of reading in each reporting period.

Statutory/Other Authority: ORS 675.110

Statutes/Other Implemented: ORS 675.110(14)

AMEND: 858-040-0065

RULE SUMMARY: Clarifies requirements for continuing education evidence of completion, and adds new requirements for home study courses that involve reading material and publication activities.

CHANGES TO RULE:

858-040-0065

Evidence of Completion ¶

(1) Evidence of completion must be retained by the licensee for a minimum of two years after the reporting period.¶

(2) Responsibility for documenting the acceptability of the program and the validity of credit rests with the licensee.¶

(3) The following shall constitute evidence of completion:¶

(a) For academic credit: a copy of a transcript showing satisfactory completion of the course.¶

(b) For professional development or workplace educational programs, formal trainings or home study activities: a certificate of attendance. ~~A~~¶

(A) For professional development programs, a copy of a paid receipt showing licensee's name as the payor, along with a conference brochure, workshop flier or program schedule, may serve as evidence of completion for no more than eight hours of continuing education credit.¶

(B) Documentation must at minimum show the qualified instructor(s)'s name and degree, date, start and end time, (if applicable), total word count or equivalent verification (if applicable), and subject matter of the program.¶

(c) For ethics committee meetings of professional organizations: meeting minutes showing the meeting date, ethics content, and licensee's name as a participating member.¶

(d) For formally organized study groups: a copy of the study group meeting record.¶

(e) For ~~authoring published material or reading books or journal articles~~ publication activities: a copy of pertinent pages of the material showing the article/chapter title (if applicable), book/journal name, author(s), ~~and~~ date of publication, and name of publishing entity.¶

(f) For lecturer credit: a copy of the course syllabus, conference brochure, workshop flier, program schedule or signed verification from the sponsor. Documentation must at minimum show the licensee's name as the lecturer, date, start and end time, and subject matter.¶

(4) The Board may request additional documentation to verify eligibility.

Statutory/Other Authority: ORS 675.110

Statutes/Other Implemented: ORS 675.110(14)

AMEND: 858-040-0070

RULE SUMMARY: Removes obsolete and duplicative license renewal procedures that are found in Divisions 10 & 50.
Other minor language cleanups.

CHANGES TO RULE:

858-040-0070

Failure to Comply ¶¶

~~(1) A Renewal Notice and Reporting Affidavit shall be deemed timely if it is postmarked by the stated due date of the reporting year. Burden of proof of mailing is on the licensee.¶¶~~

~~(2) A licensee whose Renewal Notice and Reporting Affidavit is not postmarked by stated due date shall pay a delinquent fee.¶¶~~

~~(3) An individual whose license has lapsed for failure to submit a complete Renewal Notice and Reporting Affidavit and delinquent fee within 30 days after the due date must re-apply for licensure.¶¶~~

(4) Failure to comply with any provision of OAR Chapter 858, Division 40, or misrepresentation of compliance, constitutes unprofessional conduct per ORS 675.070(2)(d) and (h) and is grounds for disciplinary action.¶¶

~~(5)~~ (2) An individual whose license has been revoked for noncompliance ~~of~~ with continuing education requirements must re-apply for licensure.¶¶

~~(6)~~ (3) A licensee selected for the continuing education random audit who responds after the stated due date is subject to disciplinary action, to include but not limited to the following sanction:¶¶

(a) Up to 30 days late: \$200 delinquent fee.¶¶

(b) Up to 60 days late: \$300 delinquent fee.¶¶

(c) Failure to respond after 60 days late: \$500 delinquent fee and the licensee's license will be suspended until the licensee provides a complete response documenting the licensee's compliance with the continuing education requirements.¶¶

~~(7)~~ (4) A licensee selected for the continuing education random audit whose hours are deficient, including a licensee's failure to submit complete documentation, is subject to disciplinary action, to include but not limited to the following sanction:¶¶

(a) Deficiency of ~~4~~ up to 10 hours: \$250 fine.¶¶

(b) Deficiency of ~~11~~ up to 20 hours: \$500 fine.¶¶

(c) Deficiency of ~~24~~ up to 30 hours: \$750 fine.¶¶

(d) Deficiency of ~~34~~ up to 40 hours: \$1000 fine.¶¶

(e) A licensee found to be deficient will be given 30 days to complete the deficient hours. Hours made up may not be double counted towards a subsequent reporting period.¶¶

(A) If the licensee fails to complete the deficient hours within 30 days, an additional \$250 fine will be assessed, and licensee may be subject to further disciplinary action.¶¶

(B) If the licensee fails to complete the deficient hours within 90 days, the licensee's license will be suspended for a minimum of 60 days.

Statutory/Other Authority: ORS 675.110

Statutes/Other Implemented: ORS 675.110~~(3), (13), (14), (15)~~

RULE SUMMARY: Relocates definitions specific to psychology from OAR 858-010-0001 into Division 50.

CHANGES TO RULE:

858-050-0010

Definitions

(1) The practice of psychology is defined to include:¶

(a) "Evaluation" means assessing or diagnosing mental disorders or mental functioning, including administering, scoring, and interpreting tests of mental abilities or personality.¶

(b) "Therapy" means, but is not limited to, treating mental disorders as defined by the Fifth Edition, Text Revision of the Diagnostic and Statistical Manual of Mental Disorders (DSM-5-TR) published by the American Psychiatric Association.¶

(c) "Consultation" means conferring or giving expert advice on the diagnosis or treatment of mental disorders.¶

(d) "Supervision" means the ongoing process performed by a supervisor who monitors the performance of the person supervised and provides regular, documented individual consultation, guidance and instruction with respect to the skills and competencies of the person supervised.¶

(2) "ABPP" means the American Board of Professional Psychology.¶

(3) "APA" means the American Psychological Association.¶

(4) "ASPPB" means the Association of State and Provincial Psychology Boards.¶

(5) "Client" or "patient" means direct recipients of psychological services, which may include child, adolescent, adult, older adult, couple, family, group, organization, community, or any other individual.¶

(6) "CPQ" means the Certificate of Professional Qualification in Psychology issued by the Association of State and Provincial Psychology Boards.¶

(7) "EPPP" means the Examination for Professional Practice in Psychology developed and owned by the Association of State and Provincial Psychology Boards.¶

(8) "Full-time graduate study" means six semester hours or nine quarter hours.¶

(9) "HSPP" means the Health Service Provider in Psychology credential issued by the National Register of Health Service Providers in Psychology.¶

(10) "Internship" means an ongoing, supervised and organized practical experience obtained in an integrated training program identified as a psychology internship. Other supervised experience or on-the-job training does not constitute an internship.¶

(11) "Practicum" means a formal, pre-degree organized training experience designed to develop a foundation of clinical skills and professional competence with diverse client populations, and to prepare for more substantial responsibilities required in internship.¶

(12) "Psychology program" means an integrated program of doctoral study designed to train professional psychologists to deliver services in psychology.¶

(13) "Residency" means a post-terminal degree, supervised experience approved by the board.¶

(14) "Specialty" means a defined area of psychological practice that requires advanced knowledge and skills acquired through an organized sequence of education and training. The advanced knowledge and skills specific to a specialty are obtained subsequent to the acquisition of core scientific and professional foundations in psychology.¶

(15) "Treatment" means services provided to an individual, group or organization for the purpose of improving mental health and/or alleviating behavioral, emotional or mental disorders.

Statutory/Other Authority: ORS 675.010 - 675.150

Statutes/Other Implemented: ORS 675.110

ADOPT: 858-050-0020

RULE SUMMARY: Relocates repealed OAR 858-010-0002 with adoption of an updated version of testing standards and corrected code of professional conduct reference.

CHANGES TO RULE:

858-050-0020

Guidelines for Supervising Technicians

A licensee may delegate administration and scoring of tests to technicians as provided in ORS 675.010(4) if the licensee ensures the technicians are adequately trained to administer and score the specific test being used; and ensures that the technicians maintain standards for the testing environment and testing administration as set forth in the American Psychological Association Standards for Educational and Psychological Testing (2014) and the code of professional conduct adopted pursuant to OAR 858-050-0300.

Statutory/Other Authority: ORS 675.010 - 675.150

Statutes/Other Implemented: ORS 675.010

ADOPT: 858-060-0010

RULE SUMMARY: Adopts definitions related to licensed behavioral health and wellness practitioners that apply to Division 60.

CHANGES TO RULE:

858-060-0010

Definitions

(1) "Client" means any individual or group of individuals receiving services.¶

(2) "Direct client contact hours" means the time a supervisee spends providing behavioral health promotion, prevention, and brief intervention services in the presence of one or more clients. It does not include administrative tasks, documentation, or observation of others providing services.¶

(3) "Practice of behavioral health promotion, prevention, and brief intervention" has the meaning given that term in Oregon Laws 2026, chapter 26, section 1 and includes:¶

(a) "Early identification" services to identify children that exhibit signs and symptoms of mental health concerns including behavioral health screenings, mental health literacy interventions, and other strategies to support early and equitable identification of behavioral health concerns.¶

(b) "Behavioral health promotion" services to support mental health and wellness in all clients, and includes equipping clients with emotion regulation tools, stress management skills, support for identity development, and other strategies that build on strengths and enhance well-being.¶

(c) "Psychoeducation" including structured, evidence-based interventions that provide clients with specialized information to improve their understanding and management of behavioral health conditions.¶

(d) "Prevention and intervention" services to deliver low-intensity, evidence-based interventions appropriate to the licensee's training and authorized scope of practice to prevent the progression of behavioral health concerns, reduce symptoms, and improve functioning.¶

(4) "Supervised Practice" includes direct client contact, completing documentation related to services provided, client needs meetings and consultation, research related to client services, report writing, formal supervision received, and receiving formal training including workshops and conferences as pre-approved by the supervisor (excluding degree coursework).

Statutory/Other Authority: ORS 675.110, Or Laws 2026, ch 26

Statutes/Other Implemented: Or Laws 2026, ch 26

RULE SUMMARY: Sets forth the education and training requirements to become a licensed behavioral health and wellness practitioner in Oregon.

CHANGES TO RULE:

858-060-0020

Education and Training Requirements

To meet the education requirement of Oregon Laws 2026, chapter 26, section 2, applicants for licensure must have completed an approved educational program meeting the following criteria:

(1) Institution and Degree. Applicants must possess a bachelor's degree or higher from an institution of higher education as follows:

(a) A degree major in:

(A) Behavioral health science, psychology, social work, human services, or a related behavioral health field; or

(B) A field other than behavioral health, provided the applicant has also completed a behavioral health educational program, which combined must meet all requirements in this rule.

(b) All degrees and educational programs used to qualify for licensure under this rule must be granted or completed through an institution of higher education that was regionally accredited as of the date the degree was conferred or the program was completed.

(c) The qualifying degree or program must be recognized, formally established, structured, and intentional with clearly defined admission criteria, learning objectives, completion requirements, and formal evaluation of student progress and competency.

(2) Coursework. The degree and educational program described in Section 1 of this rule must have included the following graded coursework:

(a) Total Behavioral Health Credits. A minimum of 30 semester (or 45 quarter) hours of substantive coursework related to behavioral health promotion, prevention, or intervention, not including practicum or other applied practice experience.

(b) Prevention and Intervention. At least 6 semester (or 8 quarter) hours focused on prevention and intervention modalities.

(c) Core Competencies. At least 3 semester (or 4 quarter) hours specifically and distinctly dedicated to each of the following topic areas:

(A) Ethics and professional practice related to behavioral health;

(B) Early identification and screening;

(C) Behavioral health promotion;

(D) Family or parenting intervention; and

(E) Culturally responsive and inclusive practices.

(3) Supervised Practice. The behavioral health degree or program described in Section 1 of this rule must have included at least 700 hours of supervised practice as follows:

(a) At least 175 hours must have involved direct client contact.

(b) Supervision must have been provided by one or more Oregon-licensed:

(A) Psychologists;

(B) Physicians specializing in psychiatry;

(C) Professional counselors;

(D) Marriage and family therapists;

(E) Clinical social workers; or

(F) Nurse practitioners specializing in psychiatric mental health.

(c) Supervision Frequency and Modality:

(A) At least 1 hour of supervision must have been provided for every 20 hours of supervised practice.

(B) A minimum of 25% of the required supervision must have been individual one-on-one supervision.

(C) For group supervision, no more than 5 trainees may have participated in a single session.

(4) Supervision Content. Supervision must have included:

(a) Direct discussion of services provided by the student;

(b) Instruction in and discussion of underlying theoretical concepts;

(c) Evaluation of the supervisory process by both the student and the supervisor;

(d) Discussion regarding coordination of services among the professionals involved in the particular cases or work units; and

(e) Reviews of relevant state laws, administrative rules, and ethical principles.

Statutory/Other Authority: ORS 675.110, Or Laws 2026, ch 26, § 2

Statutes/Other Implemented: ORS 675.110(1), Or Laws 2026, ch 26, § 2

ADOPT: 858-060-0030

RULE SUMMARY: Establishes the standard application procedure for licensure as a licensed behavioral health and wellness practitioner.

CHANGES TO RULE:

858-060-0030

Standard Application

(1) Applications for licensure as a behavioral health and wellness practitioner must be submitted in a form and manner prescribed by the Board. The Board shall process each submitted application in accordance with OAR 858-010-0020 to determine if the application file is ready for review. Applications are considered ready for review for completeness when the following items have been received:¶

(a) Final transcript(s) imprinted with the date the degree was awarded or the or educational program was completed;¶

(b) Supporting documentation as necessary showing education requirements have been met;¶

(c) Documentation of completed supervised practice;¶

(d) Verification of examination passage (if applicable);¶

(e) Verification of licensure in good standing in other states (if any);¶

(f) Application fee;¶

(g) Fingerprinting fee and results of the criminal background check per OAR 858-010-0034; and¶

(h) Other clarifying information requested by the Board or required by law.¶

(2) The Board may issue a license if the candidate for licensure:¶

(a) Meets the education and training requirements of OAR 858-060-0020; and¶

(b) Passes examinations described in OAR 858-060-0050.

Statutory/Other Authority: ORS 675.110. Or Laws 2026, ch 26, § 2

Statutes/Other Implemented: ORS 675.110(1), Or Laws 2026, ch 26, § 2

ADOPT: 858-060-0040

RULE SUMMARY: Establishes the re-licensure application procedure for previously licensed behavioral health and wellness practitioners.

CHANGES TO RULE:

858-060-0040

Re-Licensure Application

(1) Re-licensure is required for applicants who were previously licensed by the Board within the last two years of their new application submission. This process does not require documentation of education, training, or examination requirements.¶

(2) To be considered for re-licensure, all of the following items must be received:¶

(a) An application for re-licensure, submitted in a form and manner prescribed by the Board;¶

(b) Report of at least the minimum continuing education activities required of a licensed behavioral health and wellness practitioner in OAR Chapter 858, Division 40, completed within 24 months prior to the date the Board will issue the new license;¶

(c) The current application fee plus one current renewal fee;¶

(d) Fingerprinting fee and results of the criminal background check per OAR 858-010-0034; and¶

(e) Other clarifying information requested by the Board or required by law.¶

(3) The standard application method described in OAR 858-060-0030 is required for former licensees whose prior license expired more than two years prior to a new application. ¶

(4) Any new license issued by the Board will be assigned a new license number.

Statutory/Other Authority: ORS 675.110, Or Laws 2026, ch 26, § 3

Statutes/Other Implemented: ORS 675.110(1), Or Laws 2026, ch 26, § 3

ADOPT: 858-060-0050

RULE SUMMARY: Sets forth examination requirements for standard applicants for licensure as a licensed behavioral health and wellness practitioner, including the process for special accommodations.

CHANGES TO RULE:

858-060-0050

Examinations

(1) All applicants under OAR 858-060-0030 must pass an approved competency exam and the Oregon Jurisprudence Exam prior to licensure.¶

(2) Candidates for licensure must request to take an exam in a form and manner prescribed by the Board.¶

(3) Competency Exam. The Board prescribes the national examination for behavioral health promotion and prevention developed by the Ballmer Institute for Children's Behavioral Health, or its successor organization, as the approved competency exam.¶

(a) Candidates will pay any exam fees directly to the exam provider.¶

(b) Passing scores will be established by the exam provider.¶

(4) Oregon Jurisprudence Exam. The Board shall establish an exam to demonstrate a candidate's understanding of relevant state laws and rules related to the practice of behavioral health promotion, prevention, and intervention.¶

(5) The Board will notify examinees in writing about the results of each exam.¶

(6) Reexamination. A candidate who does not pass the examination may be reexamined following a mandatory waiting period of 30 days following each failure to allow the candidate to sufficiently prepare for a reexamination.¶

(7) Disqualification. A candidate may be disqualified during or after an examination for conduct which affects the integrity of the candidate's performance or the examination. Disqualification will result in denial of the candidate's application.¶

(8) Special Accommodations. Requests for special accommodations for a disability or for English Language Learners must be made at the time the written request to sit for the examination is made, or when the disability becomes known to the applicant. The request must include:¶

(a) Disability. Written verification of the disability from a qualified care provider (i.e. a person certified or licensed by the state to provide such services) detailing:¶

(A) Nature, extent, and duration of disability; and¶

(B) Recommendation(s) for accommodation.¶

(b) English Language Learners. Written request for reasonable accommodation detailing:¶

(A) Level of proficiency in English including, but not limited to, number of years speaking and/or writing English;¶

(B) History of special accommodations granted in similar testing circumstances;¶

(C) Other information to support request for special accommodation; and¶

(D) Recommendation(s) for accommodation.

Statutory/Other Authority: ORS 675.110, Or Laws 2026, ch 26, § 2

Statutes/Other Implemented: ORS 675.110(1), Or Laws 2026, ch 26, § 2

RULE SUMMARY: Establishes requirements for continued supervision of licensed behavioral health and wellness practitioners.

CHANGES TO RULE:

858-060-0060

Continued Supervision

(1) Licensed behavioral health and wellness practitioners must provide behavioral health promotion, prevention, and intervention services only under the direct supervision of an Oregon licensed:

(a) Psychologist;

(b) Physician who has a specialty in psychiatry;

(c) Professional counselor;

(d) Marriage and family therapist;

(e) Clinical Social Worker; or

(f) Nurse practitioner who has a specialty in psychiatric mental health.

(2) To qualify to supervise licensed behavioral health and wellness practitioners, an Oregon licensee must:

(a) Have been licensed in Oregon as described in Section 1 of this rule for a minimum of two years;

(b) Successfully complete a Board-prescribed assessment to verify understanding of Oregon laws, rules, and ethical principles related to the practice of behavioral health promotion, prevention, and intervention services; and

(c) Not be a spouse or relative of the licensee by blood or marriage, or a person with whom the licensee has or had a personal relationship.

(3) A supervisor shall not supervise more than 6 full-time equivalent licensed behavioral health and wellness practitioners concurrently unless the supervisor requests and receives written permission from the Board.

(4) Supervision Frequency and Duration.

(a) Supervision must take place at least twice per month in different weeks, and within the same calendar month as the completed work.

(b) Monthly supervision received must total:

(A) At least 2 hours for months in which 80 or fewer hours are worked, including at least 30 minutes of individual one-on-one supervision;

(B) At least 3 hours for months in which greater than 80 hours are worked, including at least 45 minutes of individual one-on-one supervision.

(c) Group supervision must include no more than 5 supervisees and may not be a staff or team meeting, intensive training seminar, discussion group, peer consultation session, or quality assurance or review group.

(d) Monthly supervision must be conducted either in-person in a professional setting or through live, synchronous confidential electronic communications.

(5) Supervisor Responsibilities. The supervisor must:

(a) Ensure adequate access to applicable records and direct observation of service delivery by licensee.

(b) Review and evaluate appropriateness of client population and caseload, individual charts, client progress, professional correspondence, safety protocols, case records and management, screenings and assessments, and interventions.

(c) Ensure the licensee is only practicing within their authorized scope of practice and level of training and competence.

(d) Provide supervision that is sufficient in frequency and breadth to ensure client safety.

(e) Ensure the licensee uses appropriate representations in accordance with OAR 858-060-0090.

(f) Create and maintain for at least three years a record of hours of supervision and notes for each supervision session contemporaneously as supervision occurs, and provide a copy of those records to the Board within 14 days of request.

(g) Promptly notify the Board of professional or ethical concerns about the licensee.

(h) Notify the Board within 30 days of any pending investigation or disciplinary action against the licensee or supervisor (to the extent the licensee is aware of the investigation) by any employer, organization or other entity.

(i) In the event of absence of the supervisor for a duration up to 30 days, arrange for the availability of another appropriate supervisor qualified under Sections 1 and 2 of this rule.

(6) Licensee's Responsibilities. The licensee must:

(a) Submit and receive Board approval of a Supervision Contract prior to initiating professional services and when changing a supervisor.

(b) Ensure supervisor access and consistency in supervision.

(c) Ensure the supervisor reviews and approves of licensee's client population and caseload, individual charts, client

progress, professional correspondence, safety protocols, case records and management, screenings and assessments, and interventions.¶

(d) Notify the Board within 14 days of:¶

(A) Termination of supervision:¶

(B) Any change in employment or practice location; or¶

(C) Any pending investigation or disciplinary action against the licensee.¶

(e) Not practice for more than 30 days without supervision under a Board-approved supervisor, unless the Board gives written approval for a longer period.¶

(7) The Board has discretion to approve or reject a proposed Supervision Contract or rescind a previously approved contract.¶

(8) The Board may report a supervisor's failures to properly supervise a licensee's practice to the supervisor's regulatory board if the Board has an objectively reasonable belief that the supervisor's failures constitute a possible violation of the supervisor's standards of practice or a threat to public health or safety.

Statutory/Other Authority: ORS 675.110, Or Laws 2026, ch 26, § 4

Statutes/Other Implemented: ORS 675.110(14), Or Laws 2026, ch 26, § 4

ADOPT: 858-060-0070

RULE SUMMARY: Establishes the license renewal process for licensed behavioral health and wellness practitioners, including consequence (lapse) for failure to renew.

CHANGES TO RULE:

858-060-0070

License Renewal

(1) Before the Board will renew a license, a licensee must:

(a) Submit an application for license renewal in a form and manner prescribed by the Board, which must include complete and truthful responses to all of the questions regarding continuing education, character and fitness, licensee's current information and status, and any other questions;

(b) Pay the appropriate renewal fee; and

(c) Pay the delinquent fee (if any).

(2) Renewal Deadline. A license renewal is due by the license expiration date, which occurs biennially on the last day of the licensee's birth month. To be considered timely, a licensee must submit their complete renewal application and correct fees no later than the license expiration date. Licensee holds the burden of proof of timely submission.

(3) Failure to Renew and Delinquent Fees.

(a) Delinquent Fee. A delinquent fee must be paid for a license renewal that is submitted after the license expiration date.

(b) The Board shall have discretion to waive the delinquent fee in documented hardship cases. The written request for hardship waiver should be made as soon as practicable after the hardship has occurred, and must include:

(A) A detailed description of the hardship that caused the licensee to submit their renewal late; and

(B) Any relevant supporting documentation of the hardship that occurred.

(c) Lapse. If an application for license renewal and the renewal and delinquent fees are not submitted within 30 days immediately following the due date defined in Section 2, the license shall lapse.

(4) Failure to receive a courtesy renewal reminder from the Board shall not relieve a licensee of renewal requirements and consequences.

Statutory/Other Authority: ORS 675.110, Or Laws 2026, ch 26, § 2

Statutes/Other Implemented: ORS 675.110(2), Or Laws 2026, ch 26, § 2

RULE SUMMARY: Establishes the code of professional conduct for licensed behavioral health and wellness practitioners.

CHANGES TO RULE:

858-060-0080

Code of Professional Conduct

(1) General Purpose and Scope.

(a) This Code of Professional Conduct ("Code") constitutes the standards against which the professional conduct of behavioral health and wellness practitioners is measured, and applies to all licensees and applicants of the Board (collectively, "practitioners").

(b) This Code applies to the professional activities of practitioners across all settings, including but not limited to schools, community-based organizations, health care settings, and other environments in which behavioral health promotion, prevention, and brief intervention services are delivered. This Code also applies to all professional activities, including but not limited to in-person, telehealth, and other modalities of service delivery.

(c) Violation of the provisions of this Code will be considered unprofessional conduct and is sufficient reason for disciplinary action, including, but not limited to, revocation or denial of licensure. Lack of awareness or misunderstanding of any provision of this Code is not itself a defense.

(2) Code Construction.

(a) The Preamble and Ethical Principles are aspirational standards, intended to guide licensees and applicants toward the highest ideals of the profession and to inform ethical decision-making and the practical application of the Ethical Standards.

(b) The Ethical Standards are enforceable expectations for professional conduct, and are written broadly to apply to practitioners across the range of settings and modalities in which they serve clients. The development of a sound ethical foundation requires a personal commitment and ongoing effort to act ethically, to seek supervision and consultation in matters of ethical uncertainty, and to encourage ethical conduct among colleagues and peers.

(c) In evaluating compliance with this Code, the Board's primary mandate is the protection of the public. The Code shall be construed in a manner that maximizes client protection, safety, and well-being.

(d) In applying this Code to their professional work, practitioners should also consider applicable state and federal laws, the rules and guidance of the regulatory or credentialing bodies, the policies of their employing organizations, and the dictates of their own conscience. When this Code establishes a higher standard of conduct than is required by other authorities, practitioners should strive to meet the higher ethical standard. If ethical responsibilities conflict with law, regulations, or organizational demands, practitioners make known their commitment to this Code, consult with their supervisor(s), and take steps to resolve the conflict in a responsible manner consistent with basic principles of human rights and client welfare.

(3) Preamble.

(a) Practitioners are committed to advancing the behavioral health and well-being of individuals through evidence-based promotion, prevention, and brief intervention services.

(b) Licensed behavioral health and wellness practitioners are bachelor's-level licensed professionals who work under the direct supervision of a qualified licensed clinician to provide early identification of behavioral health concerns through screening, psychoeducation, skills training and skills support, brief evidence-based behavioral health interventions and prevention services, risk identification and referral, and collaboration, consultation, and care coordination with other behavioral health providers.

(c) Practitioners practice within a defined scope that is distinct from that of independently licensed mental health clinicians.

(d) Practitioners serve a vital role in expanding access to behavioral health support by delivering preventive and early intervention services, and by bridging gaps between individuals, families, and the broader behavioral health care system.

(e) Practitioners respect and protect the rights and dignity of the individuals and families they serve.

(f) Practitioners strive to promote behavioral health equity and to deliver services that are culturally responsive, inclusive, and trauma-informed.

(g) Practitioners recognize the importance of understanding how identity, development, ability, and background shape each person's experience and behavioral health needs.

(4) Ethical Principles.

(a) Principle A: Beneficence and Nonmaleficence. Practitioners strive to benefit the individuals with whom they work and take care to do no harm. In their professional actions, practitioners seek to safeguard the welfare and rights of those they serve. Because the professional judgments and actions of practitioners can affect the lives of others, they remain alert to and guard against personal, social, organizational, or other factors that could lead to

the misuse of their influence. Practitioners are aware of the possible effect of their own physical and mental health on their ability to help those with whom they work and make efforts to minimize detrimental impacts on others. Practitioners seek to resolve conflicts in a manner that minimizes harm to the individuals and families they serve, with particular attention to the vulnerability of those with diminished autonomy, including minors and other at-risk populations. They seek supervision or referral when client needs exceed their role or scope of practice.

(b) Principle B: Fidelity and Responsibility. Practitioners establish and maintain relationships of trust with the individuals they serve, as well as with supervisors, colleagues, and the communities in which they work. Practitioners are aware of their professional responsibilities and uphold the standards of professional conduct expected of them. They clarify their professional roles and obligations and seek to manage conflicts of interest that could lead to exploitation or harm. They accept responsibility for their professional actions, maintain appropriate supervision, and collaborate with other providers in the client's best interest. Practitioners actively monitor and address ethical concerns and support an environment of integrity within their organizations and teams and take appropriate action when they become aware of ethical concerns. Practitioners strive to contribute to the well-being of the communities they serve, including efforts to expand access to behavioral health support for individuals and families across the lifespan.

(c) Principle C: Integrity. Practitioners are accurate, honest, and truthful in the practice of behavioral health promotion, prevention, and brief intervention. They accurately represent their qualifications, credentials, and scope of practice to clients, families, supervisors, colleagues, and the public. They avoid making misleading claims about programming, outcomes, or interventions, and maintain clear, ethical boundaries in person and online. When mistakes occur, Practitioners acknowledge them, seek supervision, and take steps to correct any resulting issues. Practitioners are mindful of the trust placed in them by the individuals and families they serve and conduct themselves in a manner that upholds confidence in the profession.

(d) Principle D: Justice. Practitioners recognize that fairness and justice entitle all persons to access and benefit from evidence-based behavioral health services, and to equal quality in the services provided. Practitioners are committed to behavioral health equity and seek to understand and address disparities in behavioral health and access to services related to race, ethnicity, gender, sexual orientation, disability, socioeconomic status, immigration status, language, religion, and other aspects of identity and background. Practitioners strive to ensure that their services reach and appropriately serve individuals and families from historically underserved communities. Practitioners exercise reasonable judgment and take precautions to minimize the effects of their own potential biases, and do not condone unjust practices.

(e) Principle E: Respect for People's Rights and Dignity. Practitioners honor the inherent dignity, autonomy, and rights of every person. They safeguard privacy and confidentiality, using the minimum necessary information for documentation or disclosure and communicating its limits with clarity and transparency. Practitioners respect individuals' values, cultures, and preferences and support client participation in decision-making to the fullest extent possible and strive to protect the rights and welfare of vulnerable persons. Practitioners engage in culturally responsive and inclusive practices in all domains of professional activity, recognizing that the individuals and families they serve bring unique strengths, identities, and lived experiences to the professional relationship.

(5) Ethical Standards.

(a) Professional Competence and Responsibility.

(A) Practitioners practice within the boundaries of their education, training, and experience, providing services only for which they are qualified. Practitioners seek consultation when a situation might exceed their scope of practice and refer clients to qualified professionals when needed. Practitioners accurately represent their qualifications and clarify how their role differs from that of independently licensed clinicians.

(B) Practitioners maintain a relationship with a professional supervisor as part of professional practice. Practitioners seek ongoing professional development, supervision, and training to maintain and enhance skills (see Supervision, OAR 858-060-0080(5)(f)).

(C) Practitioners use the best available scientific knowledge and evidence-based approaches to guide interventions, ensuring that professional judgments are grounded in established research and evidence-based practices (see Practice Standards and Delivery, OAR 858-060-0080(5)(d)).

(D) Practitioners accept responsibility for professional work, carefully monitor the outcomes of services, and take corrective action if an intervention is not achieving its intended effect or is causing unintended negative consequences (see Practice Standards and Delivery, OAR 858-060-0080(5)(d)).

(E) Practitioners monitor their own personal biases and physical, mental, and emotional well-being to ensure personal problems do not impair their ability to help others. If personal issues or stressors interfere with their professional role, practitioners take appropriate action in order to reduce harm, including taking a leave from practice when necessary.

(F) With client consent, practitioners work cooperatively with other professionals, respecting each person's expertise and coordinating care in the clients' best interests.

(G) Practitioners address conflicts with colleagues in a respectful and constructive manner and take further action

if necessary (see Ethical Decision-Making and Resolving Issues, OAR 858-060-0080(5)(g)).¶

(H) Practitioners strive to eliminate personal prejudices in service delivery; and avoid discrimination based on race, ethnicity, sex, gender, sexual orientation, ability, socioeconomic status, immigration status, religion, or other identities.¶

(I) Practitioners demonstrate respect in all communications and interactions, avoiding demeaning language or behavior towards or in front of clients or their family members or guardians.¶

(J) When working with minors, practitioners engage with parents, guardians, and family members in partnership with the minor, in a respectful and collaborative manner, involving them in planning, decision-making, and provision of services as appropriate.¶

(K) Practitioners prioritize the welfare and rights of minors in their care, making decisions with the minor's best interests as the foremost consideration. Practitioners fulfill legal and ethical obligations to protect the welfare of minors, including by reporting abuse or threats of harm.¶

(b) Integrity in Professional Relationships.¶

(A) Practitioners conduct themselves with integrity and honesty in all professional relationships.¶

(B) Practitioners maintain appropriate professional boundaries with clients, clients' families, and the guardians of minor clients. Practitioners avoid multiple relationships with these persons in which their professional competence, objectivity, or effectiveness could be compromised, or someone could be exploited. If a multiple relationship is unavoidable, practitioners set and enforce clear boundaries and protect the client's welfare. A multiple relationship is one in which a practitioner is simultaneously in a professional role with a person and also in another relationship with a person or promises to enter into another relationship with the person in the future.¶

(C) Practitioners are prohibited from engaging in any type of nonprofessional relationship, including personal friendship or romantic or sexual relationship, with a current client or the parent or guardian of a current minor client. For a period of five (5) years from the last date of professional service provided to the client, practitioners are also prohibited from engaging in such relationships with former clients or with the parent or guardian of a former minor client.¶

(D) Practitioners refrain from all social media or online communications with clients and disclose this boundary to clients at the start of professional services. Practitioners avoid conflicts of interest that could impair their professional competence, objectivity, or effectiveness; practitioners refrain from accepting gifts, favors, or other incentives that could influence service decisions.¶

(E) Practitioners disclose any potential conflict (such as a personal connection to a client or client's family member) to supervisors or relevant parties and seek guidance on how to proceed ethically (see Ethical Decision-Making and Resolving Issues, OAR 858-060-0080(5)(g)).¶

(c) Informed Consent and Confidentiality.¶

(A) Practitioners obtain informed consent from clients or their legal guardians before providing services, ensuring the individual understands the nature of the services and their right to refuse or withdraw. When serving minor clients or others unable to legally consent, practitioners obtain consent from a parent or legal guardian as required by law, and also seek the assent of the client.¶

(B) Practitioners engage in communication that is developmentally appropriate and accessible. Practitioners clearly explain the nature, purpose, and limits of services provided. Practitioners tailor explanations of services, choices, and confidentiality to the client's developmental level, language, culture, and communication needs (e.g., using plain language, visual aids, interpreters, or supported decision-making approaches when appropriate).¶

(C) Practitioners protect the confidentiality of all client information unless disclosure is required by law, authorized by a valid release, or necessary to prevent serious and foreseeable harm. Practitioners explain confidentiality and its limits at the outset of services and as needed throughout care, including what information may be shared with caregivers and under what circumstances.¶

(D) Practitioners take steps to safeguard client privacy in all forms of communication, recordkeeping, and electronic systems, including using the minimum necessary information for any disclosure (see Records, Technology, and Confidentiality in Practice, OAR 858-060-0080(5)(e)).¶

(E) When working with minors, practitioners balance the minor's rights and welfare with the legal rights and responsibilities of parents or guardians. Practitioners include minors in discussions about their care to the extent appropriate for their age, development, and context.¶

(F) When serving minors or individuals with diminished or fluctuating decision-making capacity, practitioners assess the client's ability to understand and participate in decisions based on age, cognitive level, developmental stage, and context. When working with minors, practitioners establish a clear, developmentally appropriate plan for shared decision-making, including what information will be shared with caregivers, what will remain private, and how safety concerns will be handled.¶

(d) Practice Standards and Service Delivery.¶

(A) Practitioners obtain informed consent for all screenings and interventions and ensure the client (or legal guardian) understands the purpose and nature of the service (see Informed Consent and Confidentiality, OAR 858-

060-0080(5)(c)).¶

(B) Practitioners use evidence-based, effective practices for screening and intervention and continually evaluate their practice to ensure a high quality of service for clients.¶

(C) Practitioners select and administer evidence-based screenings that are valid, reliable, and appropriate for the client's age, culture, and specific needs.¶

(D) Practitioners interpret and communicate screening results accurately and in an understandable manner, including discussing the results with clients or their guardians.¶

(E) Practitioners conduct ongoing progress monitoring using standardized assessments to track a client's symptoms and progress in the context of ongoing interventions; practitioners use progress monitoring for data-driven decision-making about a client's mental health care and make intervention adjustments as needed.¶

(F) Practitioners only administer screenings and progress monitoring measures within one's area of competence; practitioners do not independently administer or interpret individually administered intelligence, achievement, or neuropsychological tests (see Professional Competence and Responsibility, OAR 858-060-0080(5)(a)).¶

(G) Practitioners plan for the appropriate conclusion or transition of services when they are no longer needed, no longer serve the client's best interests, or when the presenting concerns exceed the practitioner's scope of practice or could be served by a better resource. When services end, practitioners communicate clearly with clients and support continuity of care through referral or handoff when concerns remain. Practitioners do not terminate services for inappropriate reasons, including but not limited to pursuing a personal relationship with a client or a client's family member.¶

(H) Practitioners adhere to established professional guidelines and organizational policies.¶

(e) Records, Technology, and Confidentiality in Practice.¶

(A) Practitioners create and maintain timely, accurate, and factual records of services provided as required by organizational policy, and treat the creation and maintenance of these records as an essential professional responsibility, necessary for the continuity of professional care and the assessment of client progress.¶

(B) Practitioners store and dispose of client records in a secure manner, protecting them from unauthorized access and preserving confidentiality.¶

(C) Practitioners implement appropriate safeguards when using technology (e.g., encrypted communications and secure databases) to ensure client information remains private.¶

(D) Practitioners refrain from sharing or posting any client-identifying information on social media or other public forums and be aware of professional boundaries in all electronic communications.¶

(E) Practitioners follow all applicable laws and regulations regarding record-keeping, confidentiality, and the use of electronic communication in practice.¶

(f) Supervision.¶

(A) Practitioners engage in supervision on a regular and ongoing basis, maintaining scheduled contact with their licensed supervisor(s) (see Continued Supervision, OAR 858-060-0060).¶

(B) Practitioners accurately represent client care and services during supervision and provide timely documentation to their supervisor(s).¶

(C) Practitioners follow supervisory directives consistent with ethical practice, while raising concerns when directives may conflict with client welfare or professional standards (see Ethical Decision-Making and Resolving Issues, OAR 858-060-0080(5)(g)).¶

(D) Practitioners seek supervision promptly when facing ethical uncertainty, questions about the scope of their practice or competence, or situations involving risk or competing obligations. Practitioners document their consultation with their supervisor(s) in all such cases in the appropriate client record.¶

(g) Ethical Decision-Making and Resolving Issues.¶

(A) Practitioners recognize and challenge their own biases to ensure equitable and fair treatment for all clients. Practitioners prioritize client welfare and ethical principles if conflicts occur between ethical duties and legal or organizational demands.¶

(B) Practitioners take reasonable steps to resolve ethical conflicts which can include seeking supervision, consulting an ethics committee or professional board, or obtaining legal advice if necessary to navigate the tension between ethics and the law; practitioners document their decision-making process and communications in the appropriate client record.¶

(C) Practitioners confront and report unethical practices or misconduct. Practitioners address issues with colleagues directly when possible and escalate to appropriate authorities if necessary to protect clients and uphold ethical standards.¶

(D) Practitioners document ethical concerns, consultations, and decisions in accordance with organizational policy to support transparency and accountability, including documenting any potential risks to clients and the rationale for their final decision or course of action.¶

(E) Practitioners raise concerns about unethical conduct through supervision or established organizational reporting pathways, and escalate their concerns as needed to protect clients.¶

(h) Accuracy/Honesty in Advertising or Public Statements.¶

(A) Practitioners accurately represent degrees, licenses, or credentials, qualifications, and services in all communications, including advertising, social media, or public communications (see Professional Competence and Responsibility, OAR 858-060-0080(5)(a)).¶

(B) Practitioners avoid making false, exaggerated, or misleading claims about services, results, or fees, and do not misrepresent credentials or professional competence (see Professional Competence and Responsibility, OAR 858-060-0080(5)(a)).¶

(C) Practitioners do not solicit or use testimonials from current clients or others who may be vulnerable to undue influence.¶

(D) Practitioners clearly distinguish personal opinions from professional advice when speaking or posting in public forums, and refrain from disclosing any confidential information in all public communications.¶

(E) Practitioners ensure that all communication including public statements, outreach and social media posts reflect evidence-based practices and ethical standards (see Professional Standards and Service Delivery, OAR 858-060-0080(5)(d)).

Statutory/Other Authority: ORS 675.110, Or Laws 2026, ch 26

Statutes/Other Implemented: ORS 675.110(13)(b)

ADOPT: 858-060-0090

RULE SUMMARY: Sets parameters for how licensed behavioral health and wellness practitioners represent themselves to the public.

CHANGES TO RULE:

858-060-0090

Representation to the Public

Licensees must ensure their appropriate designation at all times by the title "licensed behavioral health and wellness practitioner" on all signed materials, letterhead, business cards, telephone directory listings, internet postings, brochures, insurance billing, and any other professional representations, along with the supervisor's name and designation "supervisor."

Statutory/Other Authority: ORS 675.110, Or Laws 2026, ch 26

Statutes/Other Implemented: ORS 675.110, Or Laws 2026, ch 26, § 1, 5

ADOPT: 858-060-0100

RULE SUMMARY: Describes the scope of practice for licensed behavioral health and wellness practitioners.

CHANGES TO RULE:

858-060-0100

Scope of Practice

Licensees may only practice behavioral health promotion, prevention, and brief intervention in accordance with Oregon Laws 2026, chapter 26, sections 1 and 6 and OAR Chapter 858, Division 60.

Statutory/Other Authority: ORS 675.110, Or Laws 2026, ch 26

Statutes/Other Implemented: ORS 675.110, Or Laws 2026, ch 26, § 1, 6