

UNLICENSED PRACTICE FAQ

OREGON BOARD OF PSYCHOLOGY

The statutes and rules relating to the unlicensed practice of psychology in Oregon are listed at the end of this document for reference.

1) Question: What does it mean to represent myself as a psychologist?

Answer: Generally, you cannot say that you are a psychologist unless you're licensed as a psychologist. To *represent* oneself as a psychologist means to use a title such as "psychologist" or to say that you provide psychology services. Representation can be verbal or in print/digital form. Examples might include:

- a. *"I'm a psychologist" or "I practice psychology"*
- b. *"I'm a psychotherapist" or "I practice psychotherapy"*
- c. *"My profession is psychology"*
- d. *"My treatment orientation is Jungian psychotherapy"*
- e. *"I provide psychological services"*
- f. *"My specialties are depression, anxiety, ADHD..."*¹
- g. *A business named "Frank's Psychotherapy Clinic"*

2) Question: I work at a community college and supervise students who are providing psychotherapy services. Do I need to be licensed?

Answer: Yes. You may not supervise students or anybody else who is providing direct psychological services to individuals unless you are a licensed psychologist or you fall under another exemption (for example, if you are licensed by another mental health licensing board; see Q. 6 below).

3) Question: I teach psychology at a private university. Can I call myself a psychologist?

Answer: Yes, but only if you have a doctoral degree in psychology from an approved doctoral program in psychology² and do not supervise clinical services or diagnose/treat individuals. You do not need to be licensed simply to teach psychology courses.

4) Question: I am a researcher who writes journal articles and books on the subject of psychology. Can I call myself a psychologist?

Answer: Yes, but only if you have a doctoral degree in psychology from an approved doctoral program in psychology² and do not supervise clinical services or diagnose/treat individuals.

5) Question: I am a student working towards my psychology degree. Can I practice psychology?

Answer: You may provide psychological services only if you are a student enrolled in an approved *graduate* program and you are rendering services for academic credit as part of an organized and supervised training program. You can only use the title "psychological trainee" or "psychological intern" if you are under the supervision and responsibility of a licensed psychologist. Once you graduate, you can practice only after you have applied for licensure and have entered into a Board-approved Resident Supervision Contract. Once you have an approved contract, you may call yourself a "psychologist resident" (doctorate level) or a "psychologist associate resident" (master's level).

6) Question: I am licensed by another mental health licensing board. Can I practice psychology?

Answer: You may not use the title "psychologist," but you may render some psychological services, so long as you only practice within the lawful scope of your license or registration. Examples include:

¹ A person may not advertise or provide services for a "disorder" listed in the most current revision of the Diagnostic and Statistical Manual of Mental Disorders (DSM). Lay terms such as abuse, overeating, trauma, and addiction may be too general to be considered diagnoses and therefore offers to provide services to address those conditions may not be the practice of psychology.

² An "approved" program includes APA accredited programs (see also [OAR 858-010-0010](#)).

- ★ A licensed professional counselor (LPC) or professional counselor associate registration issued by the Oregon Board of Licensed Professional Counselors and Therapists.
- ★ A licensed marriage and family therapist (LMFT) or marriage and family therapist associate registration issued by the Oregon Board of Licensed Professional Counselors and Therapists.
- ★ A licensed clinical social worker (LCSW) or clinical social work associate (CSWA) issued by the Oregon Board of Licensed Social Workers.
- ★ A school psychologist licensed by the Teacher Standards and Practices Commission.

7) Question: I work for a drug and alcohol treatment program. Do I need to be licensed to treat drug and alcohol addiction?

Answer: If the drug and alcohol treatment program that you work for is approved by Oregon Health Authority (OHA) [Addictions and Mental Health Services](#), then you may provide the services that OHA has approved for that particular program³. You may only practice within the scope of your employment at the program, and you may not provide those services in private practice. If you are a contractor providing services to a drug and alcohol treatment program that is approved by OHA Addictions and Mental Health Services, you may provide similar services so long as you are subject to the program’s regulation and supervision and your work is authorized and paid for by the program.

8) Question: I am a pastor at my church, and I provide some psychological services to church members. Do I need to be licensed?

Answer: No. There is an exception for clergy, so long as you only provide services within your ministerial capacity and do not use the title “psychologist.” For example, you may not provide services in private practice without a license.

9) Question: I am a certified alcohol and drug counselor (CADC). Can I provide psychological services?

Answer: Because the Mental Health & Addiction Counselor Certification Board of Oregon is a non-governmental agency, an individual with a CADC certification is not exempt from the psychologist licensing requirement. A CADC certification alone does not allow a person to treat or diagnose behavioral, emotional or mental disorders, including alcohol or drug addiction. But, if you work for a certified drug and alcohol treatment program, there is an exception that allows some individuals to treat alcohol and/or drug abuse (see Q. 7 above).

10) Question: I am certified as a qualified mental health professional (QMHP). Can I provide psychological services?

Answer: Employees of [community mental health programs](#) may render some psychological services, but may only practice within their lawful scope of employment³. QMHP or QMHA certification alone is not an exemption, and you may not provide psychological services in private practice unless otherwise exempted.

11) Question: I work for non-inpatient mental health services provider which is certified by OHA. Can I provide psychological services?

Answer: Yes. The non-inpatient mental health services provider is a certificate issued by OHA Addictions and Mental Health for insurance billing purposes. In 2013, ORS 743A.168 was amended to create an exemption for employees providing services at these programs.

³ A person with a doctoral degree in psychology who is employed by and practicing psychology at a local, state or federal government agency or a community mental health program or drug and alcohol treatment program licensed or certified by the State of Oregon may practice psychology without a license for no more than 24 months after the person begins practicing psychology at the agency or program. The 24-month time limit does restart if the person ceases practicing and then begins again, and does not reset if the person begins working at a different exempt site.

OREGON BOARD OF PSYCHOLOGY – STATUTES AND RULES RELATING TO THE UNLICENSED PRACTICE OF PSYCHOLOGY

ORS675.010 Definitions for ORS 675.010 to 675.150. As used in ORS 675.010 to 675.150, unless the context requires otherwise:

. . . .

(3) “Licensed psychologist” means a person licensed to practice psychology under the provisions of ORS 675.010 to 675.150.

(4) “Practice of psychology” means rendering or offering to render supervision, consultation, evaluation or therapy services to individuals, groups or organizations for the purpose of diagnosing or treating behavioral, emotional or mental disorders. “Practice of psychology” also includes delegating the administration and scoring of tests to technicians qualified by and under the direct supervision of a licensed psychologist.

ORS 675.020 Practice or representation as psychologist prohibited without license; use of business name or designation. (1) To safeguard the people of the State of Oregon from the dangers of unqualified and improper practice of psychology, no person shall, unless exempted from the provisions of ORS 675.010 to 675.150 by ORS 675.090:

- (a) Practice psychology in this state without first being licensed under ORS 675.010 to 675.150; or
- (b) Represent oneself to be a psychologist without first being licensed under ORS 675.010 to 675.150.

(2) As used in subsection (1)(b) of this section, “represent oneself to be a psychologist” means to use any title or description of services incorporating the words “psychology,” “psychological,” “psychotherapy” or “psychologist,” or to offer or render to individuals or to groups of individuals services included in the practice of psychology.

(3) A psychologist licensed under ORS 675.010 to 675.150 shall practice under the name of the psychologist only, but nothing in ORS 675.010 to 675.150 or rules adopted thereunder shall be deemed to prevent a licensed psychologist from using an assumed business name or other designation to describe a place, institution, organization or agency where or in connection with which the psychologist conducts practice.

ORS 675.070 Authorized sanctions; grounds for imposing sanctions; civil penalty. (1) If any of the grounds enumerated in subsection (2) of this section exist, the Oregon Board of Psychology may impose any of the following sanctions:

. . . .

- (g) Impose a civil penalty as set forth in subsection (3) of this section.

(2) Subject to subsection (7) of this section, the board may impose a sanction listed in subsection (1) of this section against any psychologist or psychologist associate or applicant, or, if applicable, an unlicensed person found in violation of ORS 675.010 to 675.150, when, in the judgment of the board, the person:

. . . .

- (e) Has practiced or attempted to practice medicine without being licensed to do so;

. . . .

(g) Has impersonated a licensed psychologist or psychologist associate or has allowed another person to use the license of the psychologist;

(h) Has violated a provision of ORS 675.010 to 675.150 or a provision of the code of professional conduct formulated under ORS 675.110 (13);...

...

(3) The board may impose a civil penalty under subsection (1) of this section:

(a) In an amount not to exceed \$5,000; or

(b) In an amount not to exceed \$10,000, if any of the following conditions exist:

...

(E) The person subject to the penalty violated ORS 675.020 by practicing psychology or representing that the person is a psychologist without having a license.

ORS 675.090 Application of ORS 675.010 to 675.150. (1) ORS 675.010 to 675.150 do not apply to:

(a) A person who teaches psychology, conducts psychological research or provides consulting services to an organization or institution, provided that the person does not supervise direct psychological services and does not treat any behavioral, emotional or mental disorder of an individual.

(b) The provision of expert testimony by a person described in paragraph (a) of this subsection.

(c) A graduate student enrolled in an approved psychology program who is pursuing a graduate degree in psychology, provided that the graduate student renders services only for academic credit as part of an organized and supervised training program.

(d) A person pursuing certification, licensure or a graduate degree in any of the certified or licensed professions exempted from ORS 675.010 to 675.150.

(e) A person who is licensed, certified or otherwise authorized by the State of Oregon to provide mental health services, provided that the services are rendered within the person's lawful scope of practice and that the person does not use the title "psychologist" in connection with the activities described in this paragraph.

(f) A person who is employed by a local, state or federal government agency or a public university listed in ORS 352.002, or employed by a community mental health program or drug and alcohol treatment program licensed or certified by the State of Oregon, to the extent that the person's activities and services are rendered within the person's scope of employment and are performed within the confines of the employing agency and provided that the person does not use the title "psychologist" in connection with the activities authorized under this paragraph.

(g) A person who is a recognized member of the clergy, provided that the person is acting in the person's ministerial capacity and does not use the title "psychologist."

(h) A person who has credentials as a school psychologist, provided that the person is an employee of an educational institution and practices only within a school setting. A person acting under this paragraph may use the title "school psychologist."

(2)(a) Notwithstanding subsection (1)(f) of this section, a person with a doctoral degree in psychology who is employed by and practicing psychology at a local, state or federal government agency, a public university listed in ORS 352.002 or a community mental health program or drug and alcohol treatment program licensed or certified by the State of Oregon may practice psychology without a license under ORS 675.010 to 675.150 for no more than 24 months after the person begins practicing psychology at the agency or program.

(b) Before the person obtains a license under ORS 675.010 to 675.150:

(A) The person may practice psychology only within the scope of the person’s employment and within the confines of the employing agency or program; and

(B) The person may not use the title “psychologist.”

(3) A person performing the functions described in subsection (1)(a) and (b) of this section may use the title “psychologist” only if the person holds a doctoral degree in psychology from an approved doctoral program in psychology.

(4) A person described in subsection (1)(c) of this section may use the title “psychological intern” or “psychological trainee,” provided that the training program described in subsection (1)(c) of this section is under the supervision and responsibility of a licensed psychologist in accordance with rules adopted by the Oregon Board of Psychology.

(5) Nothing in this section exempts from ORS 675.010 to 675.150 a person whose license to practice psychology is revoked or suspended because the person engaged in sexual activity with a client.

ORS 675.150 Enforcement procedures. The Oregon Board of Psychology may institute and commence injunction proceedings in any circuit court in Oregon to enjoin the unlawful practice of psychology. In any such proceeding it shall not be necessary to show that any person is individually injured by the actions complained of. If the person complained of is found by the court to have unlawfully engaged in practice of psychology, the court may enjoin the person from so practicing. Procedure in such cases shall be the same as any other injunction suit. The remedy by injunction hereby given is in addition to criminal prosecution and punishment.

ORS 675.990 Penalties. (1)(a) Violation of any provision of ORS 675.010 to 675.150 is a Class C misdemeanor.

(b) Notwithstanding paragraph (a) of this subsection, violation of ORS 675.020 is a Class A misdemeanor.

...

OAR 858-010-0001(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 most current version of the Diagnostic and Statistical Manual of Mental Disorders (DSM) 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.