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TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

BLPCT 4-2020
CHAPTER 833
MENTAL HEALTH REGULATORY AGENCY
OREGON BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS

FILED
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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Temporary postponement of continuing education requirements.

EFFECTIVE DATE: 06/08/2020 THROUGH 12/04/2020

AGENCY APPROVED DATE: 06/05/2020

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NEED FOR THE RULE(S):

In response to the COVID-19 global pandemic, the Board determined that there was an immediate need to provide an extension to the time required for licensees to complete the continuing education (CE) requirements. Oregon professional counselors and marriage and family therapists have struggled to maintain their CE mandate in the face of the pandemic, with changes to telehealth provision of therapy, issues with childcare, and various other challenges unique to this crisis. Licensees have reported that they are fatigued and would benefit from an extension on the CE requirements.

JUSTIFICATION OF TEMPORARY FILING:

Failure to immediately amend this rule will result in licensees continuing to face the unique challenges and fatigue associated with completing the CE requirements during the pandemic, as licensees will continue to be required to report CE in even-numbered years (including 2020) as a condition of license renewal. This temporary action will provide relief by postponing the CE requirements, including reporting and auditing, until the year 2022 for all licensees. It will allow licensees to focus on providing essential mental health services to Oregonians during this challenging time.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

OAR Chapter 833 and ORS Chapter 675 are available on the OBLPCT website at <https://www.oregon.gov/OBLPCT/Pages/LawsRules.aspx>. Coronavirus/COVID-19 information and resources from the Governor's Office, including relevant Executive Orders, can be found at <https://www.oregon.gov/gov/Pages/coronavirus2020.aspx>.

AMEND: 833-080-0011

RULE TITLE: Continuing Education

RULE SUMMARY: This rule creates a temporary postponement for the continuing education requirements that apply to licenses of this Board in response to the novel coronavirus emergency.

RULE TEXT:

Licensees must complete approved continuing education and report the hours to the Board on even numbered years as a condition of license renewal.

(1) "Reporting period" means the 24-month period between license renewals that occur in even numbered years. For the even numbered years of 2020 and 2022, "reporting period" means the 48-month period between renewals that occur in 2018 and 2022. There is no reporting to occur in the year 2020.

(2) A "clock hour" for continuing education means one hour spent in a program meeting the requirements for continuing education. Clock hours exclude refreshment breaks, receptions and other social gatherings, and meals that do not include an approved program.

(3) Licensees must complete at least 40 continuing education clock hours within each reporting period. For the reporting period between 2018 and 2022 renewals, licensees must complete at least 80 clock hours of continuing education, reported in 2022.

(4) New licensees:

(a) There is no continuing education reporting required for individuals licensed less than 12 months on their first even numbered year renewal date. New licensees whose first reporting period would be in 2020 must report at least 40 clock hours of continuing education in 2022.

(b) Individuals licensed between 12 and 23 months on their first even numbered year renewal date must report at least 20 clock hours of continuing education. New licensees whose first reporting period would be in 2020 must report at least 60 clock hours of continuing education in 2022.

(c) Individuals licensed 24 or more months on their first even numbered year renewal date must report at least 40 clock hours of continuing education. New licensees whose first reporting period would be in 2020 must report at least 80 clock hours of continuing education in 2022.

(5) There is no continuing education reporting required for licensees on or changing to inactive status.

(6) Licensees' continuing education must include six clock hours of training in professional ethics and/or Oregon State laws and regulations pertaining to the practice of professional counseling or marriage and family therapy within each reporting period. For the reporting period between 2018 and 2022 renewals, licensees must complete at least 12 clock hours of training in professional ethics and/or Oregon State laws and regulations pertaining to the practice of professional counseling or marriage and family therapy.

(7) For licensees who supervise registered interns, including all licensees on the Supervisor Registry, licensees' continuing education must include three clock hours of supervision-related training within each reporting period. For the reporting period between 2018 and 2022 renewals, licensees who supervise interns and licensees on the Supervisor Registry must complete at least six clock hours of supervision-related training.

(8) Licensees' continuing education must include four clock hours of training in cultural competency within each reporting period. For the reporting period between 2018 and 2022 renewals, licensees must complete at least eight clock hours of training in cultural competency.

STATUTORY/OTHER AUTHORITY: ORS 675.785 - 675.835, 676.160 - 676.180

STATUTES/OTHER IMPLEMENTED: ORS 675.785 - 675.835