

## Chapter 858 Board of Psychologist Examiners

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858-040-0065

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Failure to Comply

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### DIVISION 10

### PROCEDURAL RULES

#### 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 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.
- (2) "ABPP" means the American Board of Professional Psychology.
- (3) "APA" means the American Psychological Association.
- (4) "Applicant" means a person who submits 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 Psychologist Examiners.
- (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.
- (8) "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) "Demonstrable areas of competence" means those therapeutic and assessment methods and techniques, and populations served, for which one can document adequate graduate training, workshops, or appropriate supervised experience.
- (12) "Developed Areas of Practice" means:
  - (a) National recognition of the practice area by a national organization(s) whose purpose includes recognizing or representing and developing the practice area, by relevant divisions of the APA, or by involvement in similar umbrella organizations;
  - (b) An accumulated body of knowledge in the professional literature that provides a scientific basis for the practice area including empirical support for the effectiveness of the services provided;
  - (c) Representation by or in a national training council that is recognized, functional, and broadly accepted;
  - (d) Development and wide dissemination by the training council of doctoral educational and training guidelines consistent with the Accreditation Guidelines & Principles;
  - (e) Existence of the practice area in current education and training programs; and
  - (f) Geographically dispersed psychology practitioners who identify with the practice area and provide such services.
- (13) "EPPP" means the Examination for Professional Practice in Psychology developed and owned by the Association of State and Provincial Psychology Boards.

(14) “Full-time graduate study” means six semester hours or nine quarter hours.

(15) “HIPDB” means the Healthcare Integrity and Protection Data Bank maintained by the U.S. Department of Health and Human Services.

(16) “HSPP” means the Health Service Provider in Psychology credential issued by the National Register of Health Service Providers in Psychology.

(17) “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.

(18) “NPDB” means the National Practitioner Data Bank maintained by the U.S. Department of Health and Human Services.

(19) “OPA” means the Oregon Psychological Association.

(20) “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.

(21) “Psychology program” means an integrated program of doctoral study designed to train professional psychologists to deliver services in psychology.

(22) “Regional accrediting agency” means one of the six regional accrediting agencies recognized by the United States Secretary of Education established to accredit senior institutions of higher education.

(23) “Residency” means a post-terminal degree, supervised experience approved by the board.

(24) “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.

(25) “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.

(26) “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.

(27) “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.

Stat. Auth.: ORS 675.010 - 675.150

Stats. Implemented: ORS 675.110

Hist.: BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 3-2011, f. & cert. ef. 9-27-11; BPE 2-2012, f. & cert. ef. 6-8-12; BPE 3-2013, f. & cert. ef. 9-30-13

## 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).

Stat. Auth: ORS 675.010 - 675.150

Stats. Implemented: ORS 675.010

Hist.: BPE 2-2004, f. & cert. ef. 8-30-04; BPE 3-2011, f. & cert. ef. 9-27-11

## 858-010-0005

### Board Duties and Procedure

(1) Board Meetings. The Board shall meet as necessary at a time and place specified by the Board and at such other times and places as specified by the chair of the Board, a majority of

members of the Board or by the Governor. The time and place of all meetings shall be posted on the Board’s website.

(2) Board Members. Board members shall receive a per diem of \$50 a day for board meetings, conference attendance, presentations and Board committee meetings when acting in their official capacity.

(3) Internal Organization. At the last meeting in each fiscal year, the first order of business shall be organizational matters, including election of Board chair and vice-chair and the assignment of standing responsibilities to Board members. The term of the chair, vice-chair or any standing assigned responsibility can be changed or terminated at any meeting where the proposal has been placed on the agenda and sent to the members one week in advance of the meeting, or by unanimous consent of the Board.

(4) Chair and Vice Chair Responsibilities:

(a) The chair is authorized to take emergency action between Board meetings, subject to ratification by the Board. However, in the case of actions significant enough to normally require Board decisions, the chair shall first attempt to get authorization for such decisions from the Board members through telephone or email communication. All emergency actions of any kind shall be noted in the agenda for the next meeting and shall become the first order of business at that next meeting;

(b) The vice-chair shall perform the duties of the chair when the chair is unable to do so.

(5) Board Communications. Only the Board chair shall write other than routine or form letters in the name of the Board unless members are specifically authorized in a Board meeting to do so. The Board should approve in advance any correspondence that may materially affect Board policies and procedures. When a delay might render the Board’s functioning ineffective, the chair may be required to take immediate action that shall be reviewed at the next meeting of the Board.

(6) Board Files. All Board files shall be assembled in the Board’s official office. The Board administrator shall maintain the Board’s files under the direction of the chair. The Board Administrator shall maintain a master record of any files that are checked out of the Board office by Board members. The Board Administrator shall be notified whenever any Board file is transferred from the possession of one person to another, and shall so note in the Board’s records. Individuals who have in their possession documents or files pertaining to Board affairs are responsible for their protection and privacy.

(7) Minutes and Agendas

(a) The minutes of a meeting shall be distributed to all Board members at least one week in advance of the next meeting;

(b) The agenda shall be prepared by the Board chair or Board administrator and distributed to all Board members at least one week before each meeting. The agenda items shall include reports by the Board administrator, the chair and each Board member who has received a specific assignment at the previous meeting or has a report to make regarding standing assignments. If there is insufficient time to inform the Board chair, the Board administrator shall make additional scheduling at the direct request of Board members. The Board may at its discretion, revise the agenda or limit it to a particular topic under special circumstances. Reports may be added as an addendum to the minutes of any meeting; and

(c) The agenda shall be distributed to all licensees and applicants for licensure.

(8) The Attorney General’s Model Rules of Procedure under the Administrative Procedure Act, printed and promulgated by the Attorney General shall be the rules of procedure before the Board under ORS 183.310 to 183.500.

Stat. Auth.: ORS 675.010 - 675.150

Stats. Implemented: ORS 675.110 & 675.130

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 8, f. 12-5-74, ef. 12-25-74; PE 12, f. & ef. 3-5-76; PE 13, f. & ef. 9-15-76; PE 1-1979, f. & ef. 9-5-79; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82; PE 1-1987(Temp), f. & ef. 3-6-87; PE 1-1988, f. & cert. ef. 7-25-88; PE 1-1991, f. & cert. ef. 4-3-91; PE 4-1993, f. & cert. ef. 7-19-93; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-

27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 3-2013, f. & cert. ef. 9-30-13

#### 858-010-0007

##### Notice of Proposed Rule

Prior to the adoption, amendment, or repeal of a permanent rule, the Board of Psychologist Examiners shall give notice of the proposed adoption, amendment, or repeal:

(1) In the Secretary of State's Bulletin pursuant to ORS 183.360;

(2) By mailing or emailing a copy of the notice to individuals on the Board's mailing list established pursuant to ORS 183.335(8);

(3) By mailing or emailing a copy of the notice to the following individuals, organizations, or publications:

- (a) All licensees of the Board;
- (b) Oregon Psychological Association; and
- (c) All applicants for licensure.

(4) Prior to the adoption, amendment, or repeal of any rule of the Board relating to continuing education, the Board shall additionally mail a copy of the notice to the State Higher Education Coordinating Commission.

Stat. Auth.: ORS 675.010 - 675.150

Stats. Implemented: ORS 675.110

Hist.: PE 13, f. & ef. 9-15-76; PE 1-1990, f. & cert. ef. 2-16-90; PE 2-1991, f. 8-15-91, cert. ef. 8-16-91; PE 4-1993, f. & cert. ef. 7-19-93; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 1-2011, f. & cert. ef. 1-25-11; BPE 1-2016, f. & cert. ef. 2-1-16

#### 858-010-0010

##### Education Requirements — Psychologist

To meet the education requirement of ORS 675.030(1), applicants for licensure must possess a doctoral degree in psychology from an approved doctoral program in psychology, as set forth below:

(1) A program accredited by the American Psychological Association (APA) or the Canadian Psychological Association (CPA) as of the date the degree was conferred; or

(2) A program at an institution of higher learning that was accredited by a regional accrediting agency as of the date the degree was conferred, if the program submitted an application to the APA or CPA for accreditation prior to the date the degree was conferred and has been granted a site visit by the APA or CPA. The program must not have withdrawn its APA or CPA accreditation application or have been denied accreditation as of the date the licensure applicant enrolled in the program; or

(3) Effective through July 22, 2019: A program at an institution of higher learning that was accredited by a regional accrediting agency as of the date the degree was conferred, if the applicant can verify their enrollment in the program prior to July 22, 2014; or

(4) A foreign program that has been evaluated by a credentialing body recognized by the Board. Submission of foreign degree evaluation and cost of the foreign degree qualification determination are the responsibility of the applicant.

(5) An applicant who possesses a degree under section (3) or (4) must show that his or her doctoral program in psychology meets all of the following requirements:

(a) A minimum of three academic years of full-time graduate study.

(b) A minimum of one continuous year in-residence at the institution from which the degree is granted.

(A) One continuous year means two consecutive semesters or three consecutive quarters.

(B) In-residence means physical presence, in person, at an educational institution or training facility in a manner that facilitates acculturation into the profession, the full participation and integration of the individual in the educational and training experience, and includes faculty and student interaction.

(C) The doctoral program may include distance education, but a minimum of one continuous year of the program shall be in-resi-

dence. Programs that use physical presence, including face-to-face contact for durations of less than one continuous year, (e.g., multiple long weekends and/or summer intensive sessions) or that use video conferencing or other electronic means as a substitute for physical presence at the institution do not meet the in-residence requirement.

(D) Effective through August 12, 2015, applicants who can verify that they enrolled in their program prior to August 12, 2011 may apply under the "old rule" definition of in-residence. Under this provision, one continuous year means a minimum of 500 hours of student-faculty contact involving face-to-face individual or group educational meetings. Such educational meetings must include both faculty-student and student-student interaction, be conducted by the psychology faculty of the institution at least 90 percent of the time, be documented by the applicant and the institution, and relate substantially to the program components specified. Items such as receptions, meals, group socials and library tours may not count towards the minimum 500 hours of educational meetings. Applicants applying under this provision shall submit full documentation that they have met this requirement, which must include a detailed description of the content of the 500 hours of educational meetings and be verified by the administration of the doctoral program.

(c) The program, wherever it may be administratively housed, must be clearly identified and labeled as a program in psychology. Such a program must specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists.

(d) The psychology program must stand as a recognizable, coherent organizational entity within the institution.

(e) There must be a clear authority and primary responsibility for the core and specialty areas, whether or not the program cuts across administrative lines.

(f) The program must be an integrated, organized sequence of study.

(g) There must be an identifiable psychology faculty sufficient in size and breadth to carry out its responsibilities and a psychologist responsible for the program.

(h) The program must have an identifiable body of students who are matriculated in that program for a degree.

(i) The program must include a coordinated, sequential and supervised practicum appropriate to the practice of psychology as described in OAR 858-010-0012.

(j) The program must include a coordinated, sequential and supervised internship, field or laboratory training appropriate to the practice of psychology as described in OAR 858-010-0013.

(k) The curriculum of the program must:

(A) Encompass a minimum of three academic years of full time graduate study, including a minimum of one continuous year in residence at the educational institution granting the doctoral degree;

(B) Require an original dissertation or equivalent that was psychological in nature that meets the requirement for an approved doctoral program; and

(C) Include at least 30 semester hours or 45 quarter hours of credit in graded (not "pass-no pass") courses.

(l) The core program shall include a minimum of three graduate semester hours or 4.5 or more graduate quarter hours (when an academic term is other than a semester, credit hours will be evaluated on the basis of 15 hours of classroom instruction per semester hour) in each of the following substantive content areas:

(A) Scientific and professional ethics and standards;

(B) Research design and methodology;

(C) Statistics;

(D) Psychometric theory;

(E) Biological bases of behavior such as physiological psychology, comparative psychology, neuropsychology, sensation and perception, physical ergonomics, or psychopharmacology;

(F) Cognitive-affective bases of behavior such as learning, thinking, motivation, emotion, memory, cognitive information processing, or social cognition;



(G) Social bases of behavior such as social psychology, group processes, organizational and systems theory; and

(H) Individual differences in behavior such as personality theory, human development, personnel psychology or abnormal psychology.

(m) All professional education programs in psychology must include course requirements in developed practice areas/specialties.

(n) The program must demonstrate that it provides training relevant to the development of competence to practice in a diverse and multicultural society.

(o) Demonstration of competence in clinical psychology shall be met by a minimum of 18 graduate semester hours or 27 graduate quarter hours in the following areas: personality and intellectual assessment, diagnosis, therapeutic intervention, and evaluating the efficacy of intervention.

(p) If the program does not meet the core and/or clinical coursework requirements of (l) and (o), the applicant for licensure may remedy a deficiency of up to 6 semester hours or 9 quarter hours by completing graduate level coursework in the deficient content area(s) at a regionally accredited institution.

(q) Provide syllabi or other documentation regarding course content upon the Board's request.

Stat. Auth.: ORS 675.030

Stats. Implemented: ORS 675.030(1)(b)(c)

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1992, f. & cert. ef. 1-16-92; PE 3-1992, f. & cert. ef. 7-14-92; PE 1-1996, f. & cert. ef. 6-25-96; PE 1-1997, f. & cert. ef. 6-17-97; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 1-2011, f. & cert. ef. 1-25-11; BPE 2-2011, f. & cert. ef. 5-31-11; BPE 3-2011, f. & cert. ef. 9-27-11; BPE 1-2012(Temp), f. & cert. ef. 2-15-12 thru 8-12-12; BPE 2-2012, f. & cert. ef. 6-8-12; BPE 3-2012(Temp), f. & cert. ef. 10-15-12 thru 4-13-13; BPE 1-2013, f. & cert. ef. 2-5-13; BPE 2-2013, f. & cert. ef. 7-15-13; BPE 3-2013, f. & cert. ef. 9-30-13; BPE 4-2014, f. & cert. ef. 11-17-14; BPE 3-2015, f. & cert. ef. 9-30-15

## 858-010-0012

### Practicum

(1) The degree program required in OAR 858-010-0010 or 858-010-0015 must include an organized practicum of at least two semesters (or three quarters) and at least 300 hours of supervised psychological services as defined in OAR 858-010-0036(1)(b).

(2) Supervision must include the following:

(a) Discussion of services provided by the student;

(b) Selection of service plan for and review of each case or work unit of the student;

(c) Discussion of and instruction in theoretical concepts underlying the work;

(d) Discussion of the management of professional practice and other administrative or business issues;

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

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

(g) Discussion of relevant state laws and rules;

(h) Discussion of ethical principles including principles applicable to the work;

(i) Review of standards for providers of psychological services; and

(j) Discussion of reading materials relevant to cases, ethical issues and the supervisory process.

Stat. Auth.: ORS 675.010 - 675.150

Stats. Implemented: ORS 675.030 & 675.110

Hist.: BPE 3-2011, f. & cert. ef. 9-27-11; BPE 1-2012(Temp), f. & cert. ef. 2-15-12 thru 8-12-12; BPE 2-2012, f. & cert. ef. 6-8-12; BPE 3-2013, f. & cert. ef. 9-30-13

## 858-010-0013

### Internship

(1) Applicants must successfully complete an organized internship as part of the degree program required in OAR 858-010-0010 or 858-010-0015.

(2) The internship must include at least 1,500 hours of supervised experience and be completed within twenty-four months.

(3) The internship program must meet the following requirements:

(a) The internship must have a written statement or brochure describing the goals and content of the internship, stating clear expectations and quality of student work, and made available to prospective interns.

(b) A psychologist licensed by the appropriate state or provincial licensing authority must be clearly designated as responsible for the integrity and quality of the internship program.

(c) Interns must use titles indicating their training status.

(d) The internship must be designed to provide a planned sequence of training experiences focusing on breadth and quality of training. Supervision and training related to ethics must be ongoing.

(e) At least twenty-five percent of the internship experience must be in direct client contact providing assessment and intervention services.

(f) For every 40 hours of internship experience, the student must receive:

(A) At least 2 hours of regularly scheduled, formal, face-to-face in person individual supervision that addresses the direct psychological services provided by the intern; and

(B) At least 2 hours of other learning activities such as case conferences, seminars on applied issues, conducting co-therapy with a staff person including discussion of the case, and group supervision.

(3) Supervision of the internship experience.

(a) The internship setting must have two or more psychologists available as supervisors, at least one of whom is licensed as a psychologist.

(b) The internship experience must be supervised by the person(s) responsible for the assigned casework.

(c) At least seventy-five percent of the supervision must be by a licensed psychologist with two years post-license experience.

Stat. Auth.: ORS 675.010 - 675.150

Stats. Implemented: ORS 675.030 & 675.110

Hist.: BPE 3-2011, f. & cert. ef. 9-27-11; BPE 1-2012(Temp), f. & cert. ef. 2-15-12 thru 8-12-12; BPE 2-2012, f. & cert. ef. 6-8-12; BPE 3-2013, f. & cert. ef. 9-30-13

## 858-010-0015

### Education Requirements — Psychologist Associate

(1) To meet the education requirement of ORS 675.065(4)(c), an applicant must possess a master's degree in psychology from a program at an institution of higher learning that was accredited by a regional accrediting agency at the graduate level as of the date the degree was awarded, or for Canadian universities, an institution of higher education that was provincially or territorially chartered.

(2) The master's program must include at least 45 quarter hours or 30 semester hours of graduate credit, 30 quarter hours or 20 semester hours of which must be in graded (not "pass-no pass") courses. Hours must be from at least five of the basic areas of psychology including:

(a) Experimental psychology; Learning theory; Physiological psychology; Motivation; Perception; Comparative psychology; Statistical methods; Design of research; Developmental psychology; Individual differences; Social psychology; Organizational psychology; Personality theory; Abnormal psychology; and

(b) A minimum of one graduate level course in ethics; and

(c) A minimum of one graduate level course in psychological tests and measurements.

(3) If the master's program does not meet the coursework requirements of (2), the applicant for licensure may remedy a deficiency of up to one course or 3 semester hours or 4.5 quarter hours by completing graduate level coursework in the deficient content area at a regionally accredited institution.

(4) Effective July 26, 2016: The master's program must have included a minimum of one continuous year in-residence at the institution from which the degree is granted.

(a) One continuous year means two consecutive semesters or three consecutive quarters.

(b) In-residence means physical presence, in person, at an educational institution or training facility in a manner that facilitates acculturation into the profession, the full participation and integration of the individual in the educational and training experience, and includes faculty and student interaction.

(c) The master's program may include distance education, but a minimum of one continuous year of the program shall be in-residence. Programs that use physical presence, including face-to-face contact for durations of less than one continuous year, (e.g., multiple long weekends and/or summer intensive sessions) or that use video teleconferencing or other electronic means as a substitute for physical presence at the institution do not meet the in-residence requirement.

Stat. Auth.: ORS 675.065

Stats. Implemented: ORS 675.065(1)(4)(c)

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1979, f. & ef. 9-5-79; PE 1-1989(Temp), f. & cert. ef. 2-24-89; PE 2-1989, f. & cert. ef. 5-24-89; PE 3-1989(Temp), f. & cert. ef. 9-7-89; PE 1-1990, f. & cert. ef. 2-16-90; PE 3-1992, f. & cert. ef. 7-14-92; PE 1-1993(Temp), f. & cert. ef. 2-12-93; PE 3-1993, f. & cert. ef. 4-13-93; PE 5-1993, f. & cert. ef. 10-6-93; PE 1-1995, f. & cert. ef. 2-16-95; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 1-2002(Temp), f. 1-28-02, cert. ef. 1-31-02 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 1-2011, f. & cert. ef. 1-25-11; BPE 3-2011, f. & cert. ef. 9-27-11; BPE 2-2012, f. & cert. ef. 6-8-12; BPE 3-2012(Temp), f. & cert. ef. 10-15-12 thru 4-13-13; BPE 1-2013, f. & cert. ef. 2-5-13; BPE 4-2014, f. & cert. ef. 11-17-14; BPE 3-2015, f. & cert. ef. 9-30-15

## 858-010-0016

### Standard Application Procedure

(1) Filing of Applications. Applicants must submit a complete application for licensure to the Board. The Board shall process each submitted application 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 graduate level transcript(s) imprinted with date degree was awarded;

(b) Reference forms;

(c) Social Security Number Authorization form;

(d) For non-APA accredited schools only:

(A) University Accreditation form;

(B) Educational Record in Psychology form; and

(C) Verification of pre-degree supervised work.

(e) Verification of post-degree supervised work experience (if completed);

(f) National written examination (EPPP) score (if taken);

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

(h) Application fee;

(i) Fingerprinting fee and results of the criminal background check; and

(j) Other clarifying information requested by the Board.

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

(a) Meets the education requirements of OAR 858-010-0010 or 858-010-0015;

(b) Completes the supervised work experience requirements of OAR 858-010-0036 or 858-010-0037.

(c) Passes the national written examination (EPPP); and

(d) Passes the Oregon jurisprudence examination.

Stat. Auth.: ORS 675.030

Stats. Implemented: ORS 675.030(1)(a), (b), (c), (d), (e) & (2)

Hist.: BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 2-2011, f. & cert. ef. 5-31-11; BPE 3-2011, f. & cert. ef. 9-27-11; BPE 1-2012(Temp), f. & cert. ef. 2-15-12 thru 8-12-12; BPE 2-2012, f. & cert. ef. 6-8-12; BPE 6-2012(Temp), f. & cert. ef. 11-20-12 thru 4-13-13; BPE 1-2013, f. & cert. ef. 2-5-13; BPE 3-2013, f. & cert. ef. 9-30-13

## 858-010-0017

### Licensure by Endorsement

Applicants that possess and have maintained an active license to practice psychology issued by a board that is a member jurisdiction of the Association of State and Provincial Psychology Boards based on a doctoral degree may be licensed by endorsement.

(1) Applicants who have maintained an active psychologist license based on a doctoral degree in psychology for less than 15 years must comply with the requirements set forth below:

(a) Filing of Applications: Applicants must submit a complete Licensure by Endorsement Application to the Board. The Board shall process each submitted application 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 graduate level transcript(s) imprinted with date degree was awarded;

(B) Social Security Number Authorization form;

(C) An official verification of licensure in good standing from each health care professional license or registration, current or expired;

(D) A copy of the applicant's:

(i) Licensure file from the state(s) in which the applicant is licensed;

(ii) CPQ file from ASPPB;

(iii) Certification file from ABPP; or

(iv) HSPP file from the National Register.

(E) Endorsement Reference forms from three mental health professionals;

(F) National written examination (EPPP) score;

(G) Application fee; and

(H) Fingerprinting fee and results of criminal background check.

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

(A) Has met the educational requirements for licensure of OAR 858-010-0010;

(B) Has complied with the post-doctoral supervised work experience requirements of OAR 858-010-0036;

(C) Passes the Oregon jurisprudence examination; and

(D) Has received a passing score on the national written examination (EPPP).

(2) Applicants who have maintained an active psychologist license for 15 years or more must comply with the requirements set forth below:

(a) Filing of Applications: Applicants must submit a complete Licensure by Endorsement Application to the Board. The Board shall process each submitted application 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) Social Security Number Authorization form;

(B) An official verification of licensure in good standing from each health care professional license or registration, current or expired;

(C) A copy of the applicant's:

(i) Licensure file from the state(s) in which the applicant is licensed;

(ii) CPQ file from ASPPB;

(iii) Certification file from ABPP; or

(iv) HSPP file from the National Register.

(D) Endorsement Reference forms from three mental health professionals;

(E) National written examination (EPPP) score;

(F) Application fee; and

(G) Fingerprinting fee and results of criminal background check.

(b) The Board may issue a license if the candidate for licensure passes the Oregon jurisprudence examination.

(c) An applicant who meets the standard of section (2) above is not required to fulfill the EPPP exam requirement.

Stat. Auth.: ORS 675.030

Stats. Implemented: ORS 675.030

Hist.: BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 2-2011, f. & cert. ef. 5-31-11; BPE 3-2011, f. & cert. ef. 9-27-11; BPE 1-2012(Temp), f. & cert. ef. 2-15-12 thru 8-12-12; BPE 2-2012, f. & cert. ef. 6-8-12; BPE 3-2012(Temp), f. & cert. ef. 10-15-12 thru 4-13-13; BPE 6-2012(Temp), f. & cert. ef. 11-20-12 thru 4-13-13; BPE 1-2013, f. & cert. ef. 2-5-13; BPE 3-2013, f. & cert. ef. 9-30-13

**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 examination or 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 applicant's file.

(3) 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-NIPDB), the Association of State and Provincial Psychology Boards' Disciplinary Databank or Oregon Judicial Information Network (OJIN) for relevant information.

Stat. Auth.: ORS 675.040, 675.045 & 675.050

Stats. Implemented: ORS 675.040, 675.045 & 675.050

Hist.: BPE 1-2010, f. & cert. ef. 1-8-10

**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 examination and to enter into a Resident Supervision Contract.

(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 858-010-0016 or 858-010-0017. 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. 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 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 the date of the previous denial.

(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 will result in a \$200 civil penalty for each violation. Applicants may also be subject to further disciplinary action by the Board. The Board will not approve an application until the applicant has satisfied any conditions ordered by the Board, including payment of any civil penalty.

Stat. Auth.: ORS 675.040, 675.045 & 675.050

Stats. Implemented: ORS 675.040(1)(2)(3), 675.045(1)(2)(a)(b), 675.050(1)(a)(b)(2)

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 2-1989, f. & cert. ef. 5-24-89; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 3-2011, f. & cert. ef. 9-27-11; BPE 2-2012, f. & cert. ef. 6-8-12; BPE 3-2013, f. & cert. ef. 9-30-13; BPE 1-2016, f. & cert. ef. 2-1-16; BPE 5-2016, f. & cert. ef. 5-23-16

**858-010-0025**

**Procedure for National Written Examination**

(1) The Board shall utilize the Examination for Professional Practice in Psychology (EPPP) as the national written exam.

(a) Candidates for licensure who are prepared to take the EPPP must submit a written request to the Board.

(b) Candidates for licensure who have taken the EPPP prior to April 20, 1990, must have passed the examination by achieving a score at or above the national mean of doctoral candidates taking the examination for the first time on that day. Candidates who have taken the EPPP prior to April 1993 must have passed the examination by achieving a score at or above the national mean of doctoral candidates taking the examination for the first time on that day or 75 percent, whichever is lower. The passing score for the EPPP from April 1993 to April 2001 shall be 140 or 70 percent. For computer administered forms of the EPPP, the Board requires a scaled score of 500.

(c) Special Accommodations. The Board shall review a request for special accommodations for a verified disability or for English as a second language upon written request by the candidate as described in OAR 858-010-0030(5).

(2) Re-examination. Any candidate who fails to achieve a passing score on the EPPP shall be allowed to take the examination a second time. If the examination is failed twice, the candidate must submit a written study plan for the Board to review and approve. If a candidate fails to pass a third examination, the candidate's application for licensure shall be denied.

Stat. Auth.: ORS 675.040 & 675.045

Stats. Implemented: ORS 675.040 & 675.045

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1979, f. & ef. 9-5-79; PE 1-1980, f. & ef. 3-10-80; PE 1-1981(Temp), f. & ef. 12-9-81; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82; PE 2-1989, f. & cert. ef. 5-24-89; PE 1-1990, f. & cert. ef. 2-16-90; PE 1-1991, f. & cert. ef. 4-3-91; PE 3-1993, f. & cert. ef. 4-13-93; PE 4-1993, f. & cert. ef. 7-19-93; PE 1-1995, f. & cert. ef. 2-16-95; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 3-2011, f. & cert. ef. 9-27-11; BPE 2-2012, f. & cert. ef. 6-8-12; BPE 3-2013, f. & cert. ef. 9-30-13

**858-010-0030**

**Procedures for Oregon Jurisprudence Examination**

(1) Jurisprudence Examination. The purpose of the examination is to measure the candidate's knowledge and application of state laws and regulations related to the professional practice of psychology, including the American Psychological Association's ethical principles incorporated by Board statute and rule.

(a) Candidates whose education credentials, training and references have been accepted by the Board shall be notified in writing of their eligibility take the jurisprudence examination.

(b) The jurisprudence examination shall be administered at least twice a year.

(2) Eligible candidates prepared to take the jurisprudence examination must submit a written request to the Board postmarked



at least 30 days prior to the examination date and pay the examination fee.

(3) The jurisprudence examination fee is not refundable except in extraordinary circumstances.

(4) The applicant shall be given notice of the date, time and place of the applicant's scheduled examination. Appearance at the scheduled examination shall constitute a waiver of the prior written notice.

(5) Special Accommodations. Requests for special accommodations for a disability or for English as a second language 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) 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 as a Second Language: 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.

(6) Administration.

(a) The Board shall determine the questions on each examination and shall determine the passing score.

(b) The Board shall provide to each candidate a Candidate Handbook that includes a copy of the Board's examination rules, an explanation of the Board requirements related to scheduling and conduct during the examination, and current examination study materials. The Candidate Handbook shall be available on the Board's website.

(c) Disqualification. A candidate sitting for the jurisprudence examination may be disqualified during or after the 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.

(7) Scoring. Candidates shall be assigned an identification number. The Board shall notify each candidate in writing regarding the result of the examination

(8) Reconsideration, Review and Reexamination.

(a) Within thirty days after notice of the examination results, a candidate who does not pass the examination may appeal in writing to have their examination rescored.

(b) Review. A candidate who does not pass the examination may review the examination record of incorrect questions and answers at the Board's office within a period of ninety days following the date of the examination and upon written request to the Board. The purpose of the review is to assist the candidate prepare to retake the examination. No more than one review shall be allowed.

(c) Reexamination. A candidate who does not pass the examination may be reexamined. If a candidate does not pass the second examination and wishes to take a third examination the candidate must submit a study plan for the Board's review and approval prior to sitting for the third examination. If a candidate fails to pass the third examination, the candidate's application for licensure shall be denied.

(d) A candidate for licensure who was formerly licensed in Oregon must re-take and pass the examination if their application for licensure is received more than 2 years after their license expired.

(e) A candidate for licensure must re-take and pass the examination if the candidate does not become licensed within 2 years of passing the exam.

Stat. Auth.: ORS 675.030, 675.040, 675.045, 675.050 & 675.065

Stats. Implemented: ORS 675.030, 675.040, 675.045, 675.050 & 675.065

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1979, f. & ef. 9-5-79; PE 1-1981(Temp), f. & ef. 12-9-81; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82; PE 1-1985(Temp), f. & ef. 12-20-85; PE 1-1986, f. & ef. 7-1-86; PE 1-1988, f. & cert. ef. 7-25-88; PE 3-1988(Temp), f. & cert. ef. 11-30-88; PE 1-1990, f. & cert. ef. 2-16-90; PE 1-1991, f. & cert. ef. 4-3-91; PE 2-1991, f. 8-15-91, cert. ef. 8-16-91; PE 3-1992(Temp), f. & cert. ef. 12-10-91; PE 1-1992, f. & cert. ef. 1-16-92; PE 3-1992, f. & cert. ef. 7-14-92; PE 1-1995, f. & cert. ef. 2-16-95; PE 1-1996, f. & cert. ef. 6-25-96; PE 1-1997, f. & cert. ef. 6-17-97; BPE 1-2000(Temp), f. 3-8-00, cert. ef. 3-8-00 thru 9-4-00; BPE 3-2000, f. & cert. ef. 9-7-00; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 4-2002, f. & cert. ef. 10-11-02; BPE 1-2004(Temp), f. & cert. ef. 3-2-04 thru 8-29-04; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2006, f. 8-29-06, cert. ef. 9-1-06; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 2-2012, f. & cert. ef. 6-8-12; BPE 3-2012(Temp), f. & cert. ef. 10-15-12 thru 4-13-13; BPE 1-2013, f. & cert. ef. 2-5-13; BPE 3-2013, f. & cert. ef. 9-30-13

## 858-010-0034

### Criminal Background Checks

(1) The purpose of these rules is to provide for the reasonable screening of all applicants for licensure, and licensees who are under investigation, on or after March 1, 2010 in order to determine if they have a history of criminal behavior and are not fit to be issued a license by the Board.

(2) These rules are to be applied when evaluating the criminal history of an applicant for licensure or a licensee under investigation and conducting fitness determinations based upon such history. The fact that an applicant has cleared the criminal history check does not guarantee the granting of a license. The fact that a licensee under investigation has cleared the criminal history check does not guarantee continued licensure.

(3) The Board may require fingerprints of all applicants for a psychologist or psychologist associate license to determine fitness to practice. The Board may require licensees under investigation to provide fingerprints when the Board has a rational reason to determine if the licensee has a history of criminal behavior. Fingerprints will be provided on prescribed forms provided by the Board. Fingerprints may be obtained at a law enforcement office or at a private service acceptable to the Board; the Board will submit fingerprints to the Oregon Department of State Police to conduct a Criminal History Check and a National Criminal History Check. Any original fingerprint cards will subsequently be destroyed by the Oregon Department of State Police in accordance with ORS 181.534(4).

(4) The Board may determine whether an applicant is fit to be granted a license, or whether a licensee under investigation is fit for continued licensure, based on the criminal records background check, any false statements made regarding their criminal history, and any refusal to submit or consent to a criminal records check including fingerprint identification. The Board may make a fitness determination conditional upon applicant's or licensee's acceptance of probation, conditions, limitations, or other restrictions upon licensure.

(5) Except as otherwise provided in section (2), in making the fitness determination, the Board shall consider:

(a) The nature of the crime;

(b) The facts that support the conviction or pending indictment or that indicate the making of the false statement;

(c) The relevancy, if any, of the crime or the false statement to the specific requirements of the applicant's or licensee's present or proposed license; and

(d) Mitigating circumstances relevant to the responsibilities and circumstances of the license. Mitigating circumstances include but are not limited to:

(A) The passage of time since the commission of the crime;

(B) The age of the applicant or licensee at the time of the crime;

(C) The likelihood of a repetition of offenses or of the commission of another crime;

(D) The subsequent commission of another relevant crime;

(E) Whether the conviction was set aside and the legal effect of setting aside the conviction; and

(F) Evidence, if any, of rehabilitation submitted.

(6) All requested background checks include available state and national data, unless obtaining one or the other is an acceptable alternative.

(7) In order to conduct the Oregon and National Criminal History Check and fitness determination, the Board may require additional information from the licensee under investigation or applicant as necessary, such as but not limited to, proof of identity; residential history; names used while living at each residence; or additional criminal, judicial or other background information.

(8) Criminal offender information is confidential. Dissemination of information received under HB 2157 is only available to people with a demonstrated and legitimate need to know the information. The information is part of the investigation of an applicant or licensee and as such is confidential pursuant to ORS 676.175(1).

(9) The Board will permit the individual for whom a fingerprint-based criminal records check was conducted to inspect their own state and national criminal offender records and, if requested, provide the individual with a copy of their own state and national criminal offender records.

(10) The Board may consider any conviction of any violation of the law in compliance with ORS 670.280, and for which the court could impose a punishment. The Board may also consider any arrests and court records that may be indicative of an individual's inability to perform as a licensee with care and safety to the public.

(10) The Board may consider any conviction of any violation of the law for which the court could impose a punishment and in compliance with ORS 670.280. The Board may also consider any arrests and court records that may be indicative of an individual's inability to perform as a licensee with care and safety to the public.

(11) If an applicant or licensee is determined not to be fit for licensure, the applicant or licensee is entitled to a contested case process pursuant to ORS 183.414–183.470. Challenges to the accuracy or completeness of information provided by the Oregon Department of State Police, Federal Bureau of Investigation and agencies reporting information must be made through the Oregon Department of State Police, Federal Bureau of Investigation, or reporting agency and not through the contested case process pursuant to ORS 183.

(12) If the applicant or licensee successfully contests the accuracy or completeness of information provided by the Oregon State Police, the Federal Bureau of Investigation or other agency reporting information to the Board, the Board will conduct a new criminal history check and re-evaluate the criminal history upon submission of a new criminal history request form.

(13) If the applicant discontinues the application process or fails to cooperate with the criminal history check process, the application is considered incomplete.

Stat. Auth.: ORS 181.534, 675.070

Stats. Implemented: ORS 181.534, 675.070

Hist.: BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10

## 858-010-0036

### Post-Doctoral Supervised Work Experience

(1) Policy. One year of post-doctoral supervised work experience is required for licensure. The required work experience must take place after the doctorate degree is conferred.

(a) One year of supervised work experience is defined as 1,500 hours of psychological services performed over a period not less than twelve months.

(b) Psychological services are defined as direct psychological services to an individual or group; diagnosis and assessment; completing documentation related to services provided; client needs meetings and consultation; psychological testing; research related to client services; report writing; and receiving formal training including workshops and conferences.

(c) For the purposes of licensure, psychological services do not include business development; credentialing activities; marketing; purchasing; creating forms; administrative billing or other business management activities.

(d) A person with a doctoral degree in psychology who is employed at an "exempt site" pursuant to ORS 675.090(f) may

practice psychology without a license for no more than 24 months from the time they begin practicing at an exempt site. 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.

(2) The following shall be used by the Board to define supervised work experience.

(a) Unless exempted from ORS 675.010 to 675.150, in order to obtain postdoctoral supervised work experience in Oregon, the candidate for licensure must be in a Board approved Resident Supervision Contract.

(b) Work experience completed in Oregon must be performed under the supervision of an Oregon licensed psychologist who has been licensed for at least two years in Oregon or in a jurisdiction with licensing standards comparable to Oregon.

(c) To receive supervised work experience credit from other jurisdictions, the experience must be a formal arrangement under the supervision of a psychologist who has been licensed for at least two years in a jurisdiction with licensing standards comparable to Oregon.

(d) The supervisor is not required to be working on-site with the resident.

(e) Frequency:

(A) If a resident works 1–20 hours in a week, the resident must receive at least one hour of individual face-to-face supervision during that week.

(B) If a resident works more than 20 hours in a week, the resident must receive at least two hours of supervision during that week. One hour must be individual and one hour may be group supervision. Group supervision must be:

(i) A formal and on-going group of at least three mental health professionals;

(ii) Facilitated by a licensed psychologist; and

(iii) Approved by the resident's supervisor.

(C) On a non-routine basis, in the absence of the primary supervisor, individual one-on-one supervision hours may be delayed up to 14 days to accommodate vacations, illness, travel or inclement weather.

(D) Non-routine individual supervision may occur by electronic means when geographical distance, weather or emergency prohibit a face-to-face meeting.

(E) If a resident's work in a particular week does not comply with these requirements, then it may not be counted towards the supervised work experience requirement.

(3) Candidates for licensure shall be eligible to enter into a Resident Supervision Contract as described in subsection (2)(a) of this rule.

(a) Resident status shall begin the date the Board approves the Resident Supervision Contract.

(b) Duration. The resident status is a transitional step toward licensure and is not intended as a means to avoid licensure. A Resident Supervision Contract shall be effective for a period not to exceed two years from the date of Board approval. The Board may extend the contract beyond two years for good cause upon a written request from the resident and the supervisor prior to the expiration of the contract. Failure to receive a courtesy reminder notice from the Board shall not relieve the resident of the responsibility to timely request an extension.

(c) Termination of a Resident Supervision Contract will be granted by the Board at the written request of the supervisor or the resident. The termination shall be effective at the time the Board approves the request in writing, or on the date indicated by the supervisor in the final residency evaluation, whichever is later.

(d) If the supervisor is to be paid for supervision payment must be in the form of a per-hour fee.

(e) Supervision of more than three residents concurrently shall require prior approval by the Board.

(4) Resident's Responsibilities. The resident's conduct must conform to the following standards:

(a) Title. The resident must be designated at all times by the title "psychologist resident." All signed materials, letterhead, busi-



ness cards, telephone directory listings, internet postings, brochures, insurance billing and any other public or private representation must include the individual's title as "psychologist resident" and the supervisor's name and designation "supervisor."

(b) Scope of Practice. The resident will only offer services in those areas that the supervisor is competent.

(c) Nature of Supervision. The resident must obtain frequent and regular supervision meetings throughout the duration of the Resident Supervision Contract. The resident must provide the supervisor with a periodic evaluation of all cases and psychological activities in which the resident is engaged. The resident's practice must comply with Oregon laws and administrative rules.

(d) Confidentiality. The resident must advise all clients orally and in their informed consent policy that the supervisor may have access to all information and material relevant to the client's case.

(e) Promptly communicate to the Board any significant interruption or expected termination of the Resident Supervision Contract.

(f) The resident must discuss with their supervisor the Supervisor Evaluation Report at the conclusion or termination of the Resident Supervision Contract.

(5) The supervisor's responsibilities are:

(a) Review, supervise and evaluate representative and problem cases with attention to diagnostic evaluation, treatment planning, ongoing case management, emergency intervention, recordkeeping and termination;

(b) Countersign all psychological reports and professional correspondence produced by the resident; and ensure that letterhead, business cards, telephone directory listings, internet postings, brochures, insurance billing and any other public or private representation includes the appropriate title of "psychologist resident" or "psychologist associate resident" and the supervisor's name and designation as "supervisor." Client progress notes do not need to be co-signed by the supervisor.

(c) Review with the resident, Oregon laws and administrative rules related to the practice of psychology, including the current APA "Ethical Principles of Psychologists and Code of Conduct," professional relationships and referrals, protection of records, billing practices, recordkeeping and report writing;

(d) Assist the psychologist resident in developing a plan to prepare for the national written exam and the Oregon jurisprudence examination;

(e) Promptly communicate to the Board any professional or ethical concerns regarding the resident's conduct or performance;

(f) Notify the Board within fourteen days and explain any significant interruption or expected termination of the Resident Supervision Contract;

(g) Ensure that the resident has access to supervision by telephone to discuss urgent matters, if the supervisor is unavailable during a period not to exceed fourteen days;

(h) 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 it to the Board within fourteen days of request;

(i) Provide the Board with an interim Resident Evaluation Report upon request; and

(j) Provide the Board with a final Resident Evaluation Report at the conclusion or termination of the Resident Supervision Contract.

(6) Associate Supervisor. Any supervision of the resident by a person other than the primary supervisor must be identified in the Resident Contract and approved by the Board.

(a) The associate supervisor is responsible for providing supervision as described in section (5) of this rule in the event that the primary supervisor is unavailable for any reason; and

(b) The associate supervisor is responsible for reporting professional or ethical concerns regarding the resident's conduct or performance to the primary supervisor and the Board.

Stat. Auth.: ORS 675.030, 675.040, 675.045, 675.050, 675.065 & 675.110

Stats. Implemented: ORS 675.030, 675.040, 675.045, 675.050, 675.065 & 675.110

Hist.: PE 1-1988, f. & cert. ef. 7-25-88; PE 1-1990, f. & cert. ef. 2-16-90; PE 1-1991, f. & cert. ef. 4-3-91; PE 2-1991, f. 8-15-91, cert. ef. 8-16-91; PE 4-1993, f. & cert. ef. 7-19-93; PE 1-1996, f. & cert. ef. 6-25-96; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 4-2002, f. & cert. ef. 10-11-02; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 1-2011, f. & cert. ef. 1-25-11; BPE 2-2011, f. & cert. ef. 5-31-11; BPE 3-2011, f. & cert. ef. 9-27-11; BPE 2-2012, f. & cert. ef. 6-8-12; BPE 3-2013, f. & cert. ef. 9-30-13; BPE 1-2014, f. & cert. ef. 3-24-14; BPE 6-2014, f. & cert. ef. 11-17-14; BPE 5-2015, f. & cert. ef. 9-30-15; BPE 3-2016, f. & cert. ef. 2-2-16

## 858-010-0037

### Supervised Work Experience — Psychologist Associate

(1) Applicants must complete a one year full-time internship or one year of other supervised learning practicum deemed equivalent by the Board. The internship or practicum must meet the requirements of OAR 858-010-0012 or 858-010-0013.

(2) Applicants must complete three years of full-time post-masters degree supervised work experience in accordance with OAR 858-010-0036, except that:

(a) The resident shall be designated at all times by the title "psychologist associate resident"; and

(b) A Resident Supervision Contract will be effective for a period not to exceed four years. The Board may extend the contract beyond four years.

Stat. Auth.: ORS 675.065 & 675.110

Stats. Implemented: ORS 675.065 & 675.110

Hist.: BPE 1-2010, f. & cert. ef. 1-8-10; BPE 3-2011, f. & cert. ef. 9-27-11; BPE 2-2012, f. & cert. ef. 6-8-12; BPE 3-2013, f. & cert. ef. 9-30-13

## 858-010-0038

### Continued Supervision — Licensed Psychologist Associate

Before the initial license is issued, the psychologist associate and the supervising psychologist must submit a "Contract for Continued Supervision of a Licensed Psychologist Associate." Day-to-day supervision of the licensed psychologist associate is the responsibility of the supervisor and includes such face-to-face consultation as is required by the nature of the work of the psychologist associate, and is consistent with accepted professional practices in psychology.

Stat. Auth.: ORS 675.065 & 675.110

Stats. Implemented: ORS 675.065 & 675.110

Hist.: BPE 1-2010, f. & cert. ef. 1-8-10; BPE 3-2011, f. & cert. ef. 9-27-11; BPE 2-2012, f. & cert. ef. 6-8-12

## 858-010-0039

### Application for Independent Status — Psychologist Associate

A licensed psychologist associate may apply to the Board for approval to function as an independent psychologist associate. Independent status will be granted only after at least three years of work as a licensed psychologist associate or a psychologist at a demonstrated high level of professional proficiency.

Stat. Auth.: ORS 675.065 & 675.110

Stats. Implemented: ORS 675.065 & 675.110

Hist.: BPE 1-2010, f. & cert. ef. 1-8-10; BPE 1-2011, f. & cert. ef. 1-25-11; BPE 3-2011, f. & cert. ef. 9-27-11; BPE 2-2012, f. & cert. ef. 6-8-12

## 858-010-0041

### License Renewals

(1) Before the Board will renew a license or approve a request for active or semi-active status under ORS 675.110, a licensee must:

(a) Submit a signed Renewal Notice and Affidavit attesting to meeting the continuing education requirements of OAR 858-040-0015 and reporting any history of felony convictions, pending criminal charges or history of discipline;

(b) Pay the appropriate renewal fee;

(c) Pay the delinquent fee (if any); and

(d) Complete the required healthcare workforce data survey and pay the fee established by the Oregon Health Authority pursuant to ORS 676.410.

(2) Semi-Active License.

(a) Continuing education requirements shall be the same as for active licensees as described in OAR 858-040-0015.

(b) Before the Board will approve a request for semi-active status a licensee must:

(A) Be at least 62 years of age; and  
(B) Not engage in the practice of psychology as defined in ORS 675.020 for more than twenty client contact hours per week.

(3) A Renewal Notice and Affidavit and the correct fee must be postmarked by the stated due date to be considered timely. Licensee holds the burden of proof of mailing.

(4) Delinquent Fees.

(a) A delinquent fee must be paid for a license renewed after the stated due date. The Board shall have discretion to waive this fee in documented hardship cases.

(b) If license renewal and delinquent fees are not paid within 30 days immediately following the due date defined in section (3), the license shall lapse.

(c) To renew a license that has lapsed for nonpayment of the renewal or delinquent fees, in addition to the requirements of section (1) above, an individual must:

(A) Submit a completed Application for Reinstatement postmarked within sixty days of the stated due date on the Renewal Notice and Affidavit; and

(B) Attest that the individual has not engaged in the unlicensed practice of psychology during the lapsed period; and

(C) Pay the required fee.

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

Stat. Auth.: ORS 675.010 - 675.150

Stats. Implemented: ORS 675.110

Hist.: BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 6-2016, f. 5-23-16, cert. ef. 6-15-16

#### 858-010-0050

##### Inactive Status

(1) Inactive status may be granted to licensees who have made a request in writing to the Board. Inactive licensees may not practice psychology in the State of Oregon, and are required to reactivate to active or semi-active status in order to practice.

(2) To reactivate a license from inactive status to active or semi-active status, the licensee shall request in writing and report professional and continuing education activities sufficient to maintain professional competence, which must at a minimum meet the basic requirements for continuing education, as described in OAR 858-040-0015, within the 24 month period immediately preceding the date of request. The residual licensure fee and continuing education requirements from the date of reactivation to the end of the renewal period shall be calculated on a prorated basis. If the licensee fails send the fee postmarked within 30 days immediately following the license reactivation, the license shall revert to inactive status.

(3) Reactivation Request. If the written request to reactivate a licensee from inactive status to active or semi-active status occurs within five years the Board may, at its discretion, reactivate the license.

(4) If the Board determines that the licensee has not engaged in professional and continuing education activities sufficient to maintain professional competence, or if the written request to reactivate the license is not received within five years, the licensee must re-take the Oregon jurisprudence examination and obtain a passing score.

(5) If the inactive licensee does not pass the Oregon jurisprudence examination, the Board may require the submission of a study plan designed to correct deficiencies in the licensee's examination performance and/or require that the licensee establish a Board approved consultation relationship as described in OAR 858-010-0036, the duration of which may be specified by the Board.

(6) The Board may reactivate the license upon receipt of documentation that the proposed study plan and/or period of consultation has been successfully completed and the deficiencies rectified, or at its discretion, may require the re-take and successful passing of the Oregon jurisprudence examination.

Stat. Auth.: ORS 675.110

Stats. Implemented: ORS 675.110

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1979, f. & cert. ef. 9-5-79; PE 3-1980, f. & cert. ef. 12-12-80; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & cert. ef. 7-23-82; PE 2-1988, f. & cert. ef. 10-7-88; PE 1-1990, f. & cert. ef. 2-16-90; PE 1-1992, f. & cert. ef. 1-16-92; PE 3-1992, f. & cert. ef. 7-14-92; PE 3-1993, f. & cert. ef. 4-13-93; Renumbered to 858-040-0010; PE 1-1996, f. & cert. ef. 6-25-96; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 5-2012, f. & cert. ef. 11-19-12; BPE 3-2013, f. & cert. ef. 9-30-13

#### 858-010-0055

##### Limited Permits

(1) The Board may grant a limited permit to practice psychology in the State of Oregon to individuals who possess and have maintained an active license as a psychologist in another jurisdiction in good standing. Applicants must:

(a) Submit a Visitor's Permit Application or a Temporary Permit Application;

(b) Submit proof of licensure in good standing from other jurisdictions;

(c) Pay the limited permit fee;

(d) Submit a statement certifying that the applicant has read and understands Oregon law relating to the practice of psychology.

(2) Limited Permit Types.

(a) Visitor's Permit. A visitor's permit may be issued to psychologists that do not intend to seek full licensure in Oregon, and are providing psychological services for a limited, time-specific period only.

(A) A statement of work must be submitted with the Visitor's Permit Application, and whenever the psychologist re-enters Oregon.

(B) The statement of work must include purpose, location, and the specific dates of service.

(C) A visitor's permit shall be effective for no more than 30 days in a 12 month period.

(b) Temporary Permit. The Board may grant a temporary permit to an approved applicant for full licensure in Oregon.

(A) Individuals applying for a temporary permit that do not have a minimum of five years of licensure must consult with an Oregon licensed psychologist at least one hour per week on matters pertaining to Oregon law. The consultant must agree and be named on the Limited Permit Application.

(B) A temporary permit shall be effective for no more than 90 calendar days. Applicants granted a temporary permit must take the jurisprudence examination within 90 days from the date the permit is approved.

(C) Failure to pass the jurisprudence examination shall result in cancellation of the temporary permit. The Board has discretion to extend the temporary permit for an additional 30 days in order to allow the applicant time to transition clients to another provider.

(D) Applicants whose temporary permit is cancelled may submit a Consultation Contract for Board approval to continue providing services after the cancellation date.

Stat. Auth.: ORS 675.063

Stats. Implemented: ORS 675.063

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 2-1989, f. & cert. ef. 5-24-89; PE 1-1990, f. & cert. ef. 2-16-90; PE 3-1992, f. & cert. ef. 7-14-92; PE 1-1995, f. & cert. ef. 2-16-95; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-1999(Temp), f. & cert. ef. 3-2-99 thru 7-1-99; BPE 2-1999, f. & cert. ef. 7-6-99; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10

#### 858-010-0060

##### Psychological Records

(1) Maintenance and retention of records. The psychologist or psychologist associate rendering professional services to an individual client or services billed to a third party payer, shall maintain professional records for a client for a minimum of seven years from the date of last service. The records shall include:

(a) The name of the client and other identifying information;

(b) The presenting problem(s) or purpose or diagnosis;

(c) The fee arrangement;

(d) The date and substance of each billed or service-count contact or service;

(e) Any test results or other evaluative results obtained and any basic test data from which they were derived;

(f) Notation and results of formal consults with other providers;

(g) A copy of all test or other evaluative reports prepared as part of the professional relationship;

(h) Any releases executed by the client;

(i) Any signed informed consents.

(2) Disposition in case of death or incapacity of the licensee. Psychologists and psychologist associates shall make necessary arrangements for maintenance of and access to client records to ensure confidentiality in case of death or incapacity of the licensee.

(3) Oregon licensees shall name a qualified person to intercede for client welfare and to make necessary referrals, when appropriate, and shall keep the Board notified of the name of the qualified person. The Board shall not release the name of the qualified person except in the case of the death or incapacity of the licensee or if the licensee is inactive or has resigned and the former client is unable to locate the licensee.

(4) A “qualified person” under this rule means an active or semi-active Oregon licensed psychologist.

Stat. Auth.: ORS 675.030, 675.040, 675.045, 675.050, 675.065 & 675.110

Stats. Implemented: ORS 675.030, 675.040, 675.045, 675.050, 675.065, 675.110

Hist.: PE 1-1996, f. & cert. ef. 6-25-96; BPE 4-2002, f. & cert. ef. 10-11-02; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 3-2013, f. & cert. ef. 9-30-13

### 858-010-0061

#### Notification Requirements

Licensees shall notify the Board in writing within 30 days of the following:

(1) Change of public or mailing address.

(2) Change of telephone number.

(3) Any name change. Licensees must submit a change of name form provided by the Board, accompanied by a copy of the legal document showing the name change.

Stat. Auth.: ORS 675.110

Stats. Implemented: ORS 675.110

Hist.: BPE 2-2011, f. & cert. ef. 5-31-11

### 858-010-0062

#### Designation of Education and Licensure Status

(1) Psychologists licensed pursuant to ORS 675.030 or 675.050 may only designate their academic degree using appropriate initials including “Ph.D.,” “Psy.D.,” or “Ed.D.” as awarded by the degree-granting institution. Licensure status may only be designated as “psychologist.”

(2) Psychologist associates licensed pursuant to ORS 675.065 may only designate their academic degree using appropriate initials including “M.A.” or “M.S.” as awarded by the degree-granting institution. Licensure status may only be designated as “psychologist associate.”

Stat. Auth.: ORS 675.010 - 675.150

Stats. Implemented: ORS 675.110

Hist.: BPE 1-2015, f. & cert. ef. 1-21-15

### 858-010-0065

#### Resignation of License Holder

(1) A person holding a valid Oregon license to practice psychology may voluntarily resign their license by submitting a written resignation with the Board’s Administrator.

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

Stat. Auth.: ORS 675.070

Stats. Implemented: ORS 675.070(2)(d)

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-1999(Temp), f. & cert. ef. 3-2-99 thru 7-1-99; BPE 2-1999, f. & cert. ef. 7-6-99; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2011, f. & cert. ef. 5-31-11

### 858-010-0075

#### Code of Professional Conduct

The Board adopts the American Psychological Association’s “Ethical Principles of Psychologists and Code of Conduct” as the code of professional conduct for licensees.

[Publications referenced are available at <http://www.apa.org/ethics/>. The 1992 APA “Ethical Principles of Psychologists and Code of Conduct” is

also available from the agency.]

Stat. Auth.: ORS 675.030, 675.040, 675.045, 675.050, 675.065 & 675.110

Stats. Implemented: ORS 675.030, 675.040, 675.045, 675.050, 675.065 & 675.110

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & cert. ef. 7-23-82; PE 4-1989(Temp), f. & cert. ef. 11-28-89; PE 1-1990, f. & cert. ef. 2-16-90; PE 3-1992, f. & cert. ef. 7-14-92; PE 5-1993, f. & cert. ef. 10-5-93; PE 1-1996, f. & cert. ef. 6-25-96; PE 1-1997, f. & cert. ef. 6-17-97; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 3-2002(Temp), f. & cert. ef. 4-15-02 thru 10-12-02; BPE 4-2002, f. & cert. ef. 10-11-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 3-2014, f. & cert. ef. 6-2-14

### 858-010-0080

#### Repeal of Prior Rules

Upon the effective date of adoption of these rules, the prior existing rules of the Board as contained in OAR 858-010-0005 to 858-010-0075 shall be repealed.

Stat. Auth.:

Stats. Implemented:

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; ; BPE 3-2013, f. & cert. ef. 9-30-13

## DIVISION 20

### COMPLAINTS, INVESTIGATIONS, AND CONTESTED CASE HEARINGS

### 858-020-0015

#### Management of Complaints

(1) Consumer Protection Committee. The Board chair may appoint a Consumer Protection Committee comprised of one public member and two professional members. The Consumer Protection Committee shall:

(a) Provide direction and consultation to the Board’s investigator and the Board’s Administrator; and

(b) Make recommendations to the Board when necessary.

(2) Any Board member or Board staff member who has a conflict of interest with respect to any complaint shall declare the conflict and shall not participate in the investigation, disposition, or any other activity concerning the complaint.

Stat. Auth.: ORS 675.020 & 675.110

Stats. Implemented: ORS 675.110(8)

Hist.: BPE 2-1999, f. & cert. ef. 7-16-99; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 3-2013, f. & cert. ef. 9-30-13

### 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 the licensure of psychologists and psychologist associates who are already licensed or are candidates for licensure, or that concern the possible practice of psychology by non-psychologists or unlicensed psychologists. A complaint concerning a licensed psychologist associate or psychologist resident may be regarded as a complaint against the supervisor. 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. 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.

Stat. Auth.: ORS 675.070

Stats. Implemented: ORS 675.070(2)

Hist.: BPE 3-1999, f. & cert. ef. 7-6-99; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 3-2012(Temp), f. & cert. ef. 10-15-12 thru 4-13-13; BPE 1-2013, f. & cert. ef. 2-5-13; BPE 3-2013, f. & cert. ef. 9-30-13

### 858-020-0035

#### Form of Complaints

(1) If the complaint is first made in verbal form, is tentative, or undocumented, the Board shall require a statement in writing, accompanied by documentation and a signed complaint form. The Board will advise a complainant about the nature and form of documentation required. The Board shall provide all complainants



with copy of ORS 676.160, Processing of Complaints Against Health Professionals.

(2) If the complainant is a client or former client of the respondent, the complainant must sign a waiver of confidentiality allowing the Board and its legal counsel access to records and other materials that are the ethical and legal responsibility of the respondent. Refusal by a complainant to comply with this requirement may result in dismissal of the complaint.

(3) If a Board member becomes a complainant or a respondent, the same procedures will apply as in any other case. The Board member will abstain from any participation in discussion and deliberations of the Board regarding the complaint.

Stats. Auth.: ORS 675.020 & 675.110

Stats. Implemented: ORS 675.110

Hist.: BPE 2-1999, f. & cert. ef. 7-6-99; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 3-2013, f. & cert. ef. 9-30-13

**858-020-0045****Notice and Investigation Process**

(1) Notice to Respondent. The Board's administrator 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 respondent with a citation to the laws and regulations that 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. The Board Administrator may delegate this notification procedure to the Board's investigator.

(2) Notice to Supervisors. When a complaint is filed against an individual acting under the supervision of a licensed psychologist, the supervising psychologist(s) shall be notified that any investigation into the conduct of the supervisee 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 person licensed by the Board or such other action as the circumstances may warrant.

(4) Scope of Investigation. The investigator shall seek guidance as appropriate and necessary from individual Board members, the full Board, agency legal counsel, and the Board's administrator. If the Board decides to operate with a Consumer Protection Committee structure, that committee shall serve as the primary source of guidance for the investigator.

(5) Cooperation. Failure by respondent to cooperate with a board investigation constitutes unprofessional conduct per ORS 675.070(2). 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 to the Board's investigator;

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

(d) Responding to questions presented by the Board's investigator.

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

(7) The Board may delay approving a licensure application or issuing a license to a candidate for licensure if the person has a complaint under investigation until the complaint has been resolved.

Stat. Auth.: ORS 675.020 & 675.110

Stats. Implemented: ORS 675.110

Hist.: BPE 3-1999, f. & cert. ef. 7-6-99; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; Suspended by BPE 4-2012(Temp), f. & cert. ef. 10-18-12 thru 4-16-13; BPE 3-2013, f. & cert. ef. 9-30-13

**858-020-0055****Investigator's 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 and 676.160 to 676.180, and shall clearly set forth the issues on which the Board should 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. The Board may:

(a) Dismiss the complaint;

(b) Continue the investigation; or

(c) Issue a Thirty-Day Letter. The Board administrator shall notify the respondent of the specific allegations of conduct that the Board may consider to be violations of APA Ethical Principles or Oregon statutes and administrative rules. The letter shall require a response from the respondent within 30 days from the date of mailing and provide warning that failure to respond may result in Board disposition of the complaint without the response.

Stats. Auth.: ORS 675.110

Stats. Implemented: ORS 675.110

Hist.: BPE 2-1999, f. & cert. ef. 7-6-99; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 4-2012(Temp), f. & cert. ef. 10-18-12 thru 4-16-13; Administrative correction, 5-22-13; BPE 3-2013, f. & cert. ef. 9-30-13

**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, in accordance with ORS 183.310-183.550 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 Salem, Oregon, unless a different location is stipulated to by all parties and approved by the Board.

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

Stat. Auth.: ORS 183.425(1), 183.425(2) & 675.110

Stats. Implemented: ORS 183.425(1), 183.425(2) & 675.110

Hist.: BPE 2-1999, f. & cert. ef. 7-6-99; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 4-2016, f. & cert. ef. 5-23-16

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

If the Board determines to take disciplinary action in accordance with ORS 675.070 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 the Association of State and Provincial Psychology Boards' Disciplinary Databank.

Stat. Auth.: ORS 675.110

Stats. Implemented: ORS 675.110

Hist.: BPE 2-1999, f. & cert. ef. 7-6-99; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2011, f. & cert. ef. 5-31-11; BPE 3-2013, f. & cert. ef. 9-30-13

**858-020-0105****Board's Responsibility to the Public**

The Board shall take responsibility for informing the public and the profession as to the ethics and nature of psychological activities. The Board shall provide psychologists in the state, the general public, and interested other groups with information about the nature of the licensure law, what may constitute violations of the law, and how inquiry about possible violations or complaints may appropriately be made. When inquiry is made, the Board may informally comment on the probable legal status of an activity that

falls or might fall under ORS Chapter 675, but it shall refrain from any statement or action which might be construed as an official opinion.

Stat. Auth.: ORS 675.110

Stats. Implemented: ORS 675.110

Hist.: BPE 2-1999, f. & cert. ef. 7-6-99; BPE 3-2013, f. & cert. ef. 9-30-13

**858-020-0205**

**Confidentiality and Inadmissibility of Mediation Communications**

(1) The words and phrases used in this rule have the same meaning as given to them in ORS 36.110 and 36.234.

(2) Nothing in this rule affects any confidentiality created by other law. Nothing in this rule relieves a public body from complying with the Public Meetings Law, ORS 192.610 to 192.690. Whether or not they are confidential under this or other rules of the agency, mediation communications are exempt from disclosure under the Public Records Law to the extent provided in 192.410 to 192.505.

(3) This rule applies only to mediations in which the agency is a party or is mediating a dispute as to which the agency has regulatory authority. This rule does not apply when the agency is acting as the “mediator” in a matter in which the agency also is a party as defined in ORS 36.234.

(4) To the extent mediation communications would otherwise be compromise negotiations under ORS 40.190 (OEC Rule 408), those mediation communications are not admissible as provided in 40.190 (OEC Rule 408), notwithstanding any provisions to the contrary in section (9) of this rule.

(5) **Mediations Excluded.** Sections (6)–(10) of this rule do not apply to:

(a) Mediation of workplace interpersonal disputes involving the interpersonal relationships between this agency’s employees, officials or employees and officials, unless a formal grievance under a labor contract, a tort claim notice or a lawsuit has been filed; or

(b) Mediation in which the person acting as the mediator will also act as the hearings officer in a contested case involving some or all of the same matters;

(c) Mediation in which the only parties are public bodies;

(d) Mediation involving two or more public bodies and a private party if the laws, rule or policies governing mediation confidentiality for at least one of the public bodies provide that mediation communications in the mediation are not confidential;

(e) Mediation involving 15 or more parties if the agency has designated that another mediation confidentiality rule adopted by the agency may apply to that mediation; or

(6) **Disclosures by Mediator.** A mediator may not disclose or be compelled to disclose mediation communications in mediation and, if disclosed, such communications may not be introduced into evidence in any subsequent administrative, judicial or arbitration proceeding unless:

(a) All the parties to the mediation and the mediator agree in writing to the disclosure; or

(b) The mediation communication may be disclosed or introduced into evidence in a subsequent proceeding as provided in subsections (c)–(d), (j)–(l) or (o)–(p) of section (9) of this rule; or

(7) **Confidentiality and Inadmissibility of Mediation Communications.** Except as provided in sections (8)–(9) of this rule, mediation communications are confidential and may not be disclosed to any other person, are not admissible in any subsequent administrative, judicial or arbitration proceeding and may not be disclosed during testimony in, or during any discovery conducted as part of a subsequent proceeding, or introduced as evidence by the parties or the mediator in any subsequent proceeding.

(8) **Written Agreement.** Section (7) of this rule does not apply to a mediation unless the parties to the mediation agree in writing, as provided in this section, that the mediation communications in the mediation will be confidential and/or nondisclosable and inadmissible. If the mediator is the employee of and acting on behalf of a state agency, the mediator or an authorized agency representative must also sign the agreement. The parties’ agreement to

participate in a confidential mediation must be in substantially the following form. This form may be used separately or incorporated into an “agreement to mediate.” [Form not included. See ED. NOTE.]

**(9) Exceptions to Confidentiality and Inadmissibility.**

(a) Any statements, memoranda, work products, documents and other materials, otherwise subject to discovery that were not prepared specifically for use in the mediation are not confidential and may be disclosed or introduced into evidence in a subsequent proceeding.

(b) Any mediation communications that are public records, as defined in ORS 192.410(4), and were not specifically prepared for use in the mediation are not confidential and may be disclosed or introduced into evidence in a subsequent proceeding unless the substance of the communication is confidential or privileged under state or federal law.

(c) A mediation communication is not confidential and may be disclosed by any person receiving the communication to the extent that person reasonably believes that disclosing the communication is necessary to prevent the commission of a crime that is likely to result in death or bodily injury to any person. A mediation communication is not confidential and may be disclosed in a subsequent proceeding to the extent its disclosure may further the investigation or prosecution of a felony crime involving physical violence to a person.

(d) Any mediation communication related to the conduct of a licensed professional that is made to or in the presence of a person who, as a condition of his or her professional license, is obligated to report such communication by law or court rule is not confidential and may be disclosed to the extent necessary to make such a report.

(e) The parties to the mediation may agree in writing that all or part of the mediation communications are not confidential or that all or part of the mediation communications may be disclosed and may be introduced into evidence in a subsequent proceeding unless the substance of the communication is confidential, privileged or otherwise prohibited from disclosure under state or federal law.

(f) A party to the mediation may disclose confidential mediation communications to a person if the party’s communication with that person is privileged under ORS Chapter 40 or other provision of law. A party to the mediation may disclose confidential mediation communications to a person for the purpose of obtaining advice concerning the subject matter of the mediation, if all the parties agree.

(g) An employee of the agency may disclose confidential mediation communications to another agency employee so long as the disclosure is necessary to conduct authorized activities of the agency. An employee receiving a confidential mediation communication under this subsection is bound by the same confidentiality requirements as apply to the parties to the mediation.

(h) A written mediation communication may be disclosed or introduced as evidence in a subsequent proceeding at the discretion of the party who prepared the communication so long as the communication is not otherwise confidential under state or federal law and does not contain confidential information from the mediator or another party who does not agree to the disclosure.

(i) In any proceeding to enforce, modify or set aside a mediation agreement, a party to the mediation may disclose mediation communications and such communications may be introduced as evidence to the extent necessary to prosecute or defend the matter. At the request of a party, the court may seal any part of the record of the proceeding to prevent further disclosure of mediation communications or agreements to persons other than the parties to the agreement.

(j) In an action for damages or other relief between a party to the mediation and a mediator or mediation program, mediation communications are not confidential and may be disclosed and may be introduced as evidence to the extent necessary to prosecute or defend the matter. At the request of a party, the court may seal any part of the record of the proceeding to prevent further disclosure of the mediation communications or agreements.

(k) When a mediation is conducted as part of the negotiation of a collective bargaining agreement, the following mediation communications are not confidential and such communications may be introduced into evidence in a subsequent administrative, judicial or arbitration proceeding:

(A) A request for mediation; or  
(B) A communication from the Employment Relations Board Conciliation Service establishing the time and place of mediation; or

(C) A final offer submitted by the parties to the mediator pursuant to ORS 243.712; or

(D) A strike notice submitted to the Employment Relations Board.

(I) To the extent a mediation communication contains information the substance of which is required to be disclosed by Oregon statute, other than ORS 192.410 to 192.505, that portion of the communication may be disclosed as required by statute.

(m) Written mediation communications prepared by or for the agency or its attorney are not confidential and may be disclosed and may be introduced as evidence in any subsequent administrative, judicial or arbitration proceeding to the extent the communication does not contain confidential information from the mediator or another party, except for those written mediation communications that are:

(A) Attorney-client privileged communications so long as they have been disclosed to no one other than the mediator in the course of the mediation or to persons as to whom disclosure of the communication would not waive the privilege; or

(B) Attorney work product prepared in anticipation of litigation or for trial; or

(C) Prepared exclusively for the mediator or in a caucus session and not given to another party in the mediation other than a state agency; or

(D) Prepared in response to the written request of the mediator for specific documents or information and given to another party in the mediation; or

(E) Settlement concepts or proposals, shared with the mediator or other parties.

(n) A mediation communication made to the agency may be disclosed and may be admitted into evidence to the extent the Administrator determines that disclosure of the communication is necessary to prevent or mitigate a serious danger to the public's health or safety, and the communication is not otherwise confidential or privileged under state or federal law.

(o) The terms of any mediation agreement are not confidential and may be introduced as evidence in a subsequent proceeding, except to the extent the terms of the agreement are exempt from disclosure under ORS 192.410 to 192.505, a court has ordered the terms to be confidential under 30.402 or state or federal law requires the terms to be confidential.

(p) The mediator may report the disposition of a mediation to the agency at the conclusion of the mediation so long as the report does not disclose specific confidential mediation communications. The agency or the mediator may use or disclose confidential mediation communications for research, training or educational purposes, subject to the provisions of ORS 36.232(4).

(10) When a mediation is subject to section (7) of this rule, the agency will provide to all parties to the mediation and the mediator a copy of this rule or a citation to the rule and an explanation of where a copy of the rule may be obtained. Violation of this provision does not waive confidentiality or inadmissibility.

[ED. NOTE: Forms referenced in this rule are available from the agency.]

Stat. Auth.: ORS 36.224

Stats. Implemented: ORS 36.224, 36.228, 36.230 & 36.232

Hist.: BPE 2-1999, f. & cert. ef. 7-6-99

## DIVISION 30

### FEES

#### 858-030-0005

##### Application, Examination and Licensing Fees

(1) Application: \$300

(2) Jurisprudence Examination: \$150

(3) License Fees

(a) The license renewal fee for an active psychologist and psychologist associate shall be calculated on an annual amount of \$375 and paid on a biennial amount of \$750. Effective for renewals due January 1, 2015 through December 31, 2016, the active license fee shall be temporarily reduced for licensees who renew by the stated due date to an annual amount of \$127.50 and paid on a biennial amount of \$255.

(b) The license renewal fee for a semi-active psychologist and psychologist associate shall be calculated on an annual amount of \$187.50 and paid on a biennial amount of \$375. Effective for renewals due January 1, 2015 through December 31, 2016, the semi-active license fee shall be temporarily reduced for licensees who renew by the stated due date to an annual amount of \$63.75 and paid on a biennial amount of \$127.50.

(c) The license renewal fee for an inactive psychologist and psychologist associate shall be calculated on an annual amount of \$50 and paid on a biennial amount of \$100. Effective for renewals due January 1, 2015 through December 31, 2016, the inactive license fee shall be temporarily reduced for licensees who renew by the stated due date to an annual amount of \$17 and paid on a biennial amount of \$34.

(d) Effective for the renewal periods beginning January 1, 2010, the Board will phase in the implementation of a two year license on a birth month renewal schedule.

(e) The Board shall impose a delinquency fee of \$200 for licenses renewed within thirty days after the stated due date.

(f) The Board shall have discretion to waive the delinquency fee in hardship cases.

(4) Limited Permit: \$100

(5) Miscellaneous Fees. Most materials and information are available through the Board website at [www.oregon.gov/obpe](http://www.oregon.gov/obpe) or may be purchased in accordance with ORS 192.440(2).

(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

Stat. Auth.: ORS 675.110 & 675.115

Stats. Implemented: ORS 675.110 & 675.115

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 7, f. 10-21-74, ef. 11-11-74; PE 9, f. 2-3-75, ef. 2-25-75; PE 1-1978, f. & ef. 9-5-78; PE 1-1979, f. & ef. 9-5-79; PE 2-1980, f. & ef. 9-23-80; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82; PE 1-1983, f. & ef. 11-1-83; PE 2-1989, f. & cert. ef. 5-24-89; PE 3-1992, f. & cert. ef. 7-14-92; PE 2-1993(Temp), f. & cert. ef. 3-18-93; PE 4-1993, f. & cert. ef. 7-19-93; Renumbered from 858-010-0060; PE 5-1993, f. & cert. ef. 10-6-93; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-1999(Temp), f. & cert. ef. 3-2-99 thru 7-1-99; BPE 2-1999, f. & cert. ef. 7-6-99; BPE 2-2000, f. 9-7-00, cert. ef. 10-15-00; BPE 2-2001(Temp), f. 8-31-01, cet. ef. 10-12-01 thru 2-27-02; BPE 3-2001(Temp), f. & cert. ef. 10-12-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2009(Temp), f. 9-29-09, cert. ef. 10-1-09 thru 12-31-09; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 3-2013, f. & cert. ef. 9-30-13; BPE 5-2014, f. & cert. ef. 11-17-14; BPE 4-2015, f. & cert. ef. 9-30-15



DIVISION 40

CONTINUING EDUCATION

**858-040-0015**

**Basic Requirements**

(1) Licensees must earn at least 40 continuing education 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.

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

(2) New Licensees. There is no continuing education reporting required for individuals licensed twelve months or less on their first renewal date.

(3) All active and semi-active licensees must complete four hours of professional ethics and/or Oregon State laws and regulations related to the practice of psychology in each reporting period.

(4) All active and semi-active licensees must complete a minimum of seven hours of continuing education dedicated to the topic of pain management. This is a one-time requirement.

(a) One hour must be a course provided by the Oregon Pain Management Commission.

(b) The pain management requirement must be reported within twenty-four months of the first Renewal Notice and Affidavit.

(5) All active and semi-active licensees must complete four hours of continuing education dedicated to the topic of cultural competency in each reporting period.

(6) No continuing education reporting is required for licensees requesting a change from active or semi-active to inactive status.

(7) No continuing education reporting is required for inactive licensees.

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

Stat. Auth.: ORS 675.110

Stats. Implemented: ORS 675.110(14)

Hist.: BPE 2-1999, f. & cert. ef. 7-6-99; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 1-2011, f. & cert. ef. 1-25-11; BPE 1-2011, f. & cert. ef. 1-25-11; BPE 2-2014, f. 6-2-14, cert. ef. 1-1-15; BPE 2-2015, f. & cert. ef. 1-21-15

**858-040-0025**

**Continuing Education Reporting**

(1) Before a license will be renewed under ORS 675.110, a licensee must submit a Renewal Notice and Reporting Affidavit.

(2) 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.

Stat. Auth.: ORS 675.110

Stats. Implemented: ORS 675.110(14)

Hist.: BPE 2-1999, f. & cert. ef. 7-6-99; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2014, f. 6-2-14, cert. ef. 1-1-15

**858-040-0026**

**Continuing Education Random Audit**

(1) The Board will conduct a random audit of continuing education compliance each year. Audited licensees will be notified by letter and given 60 days to respond. Submissions must be postmarked by the stated due date to be considered timely. Licensee holds the burden of proof of mailing.

(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 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 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, including month, day, and year;

(c) Organization sponsoring the program;

(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.

(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.

Stat. Auth.: ORS 675.110

Stats. Implemented: ORS 675.110(14)

Hist.: BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 2-2014, f. 6-2-14, cert. ef. 1-1-15

**858-040-0035**

**Programs Which Qualify for Continuing Education Credit**

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 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 of completion, is obtained.

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

(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;

(c) Formally organized work place educational programs;

(d) Formally organized study groups that comply with the following;

(A) At least two other mental health professionals attend;

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

(C) 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) Supervision or Consultation Received for a fee from an Oregon licensed Psychologist.

(A) Credit shall be given only to the licensee receiving supervision or consultation, not to the licensee providing supervision or consultation.

(B) No credit shall be given to licensees receiving supervision to fulfill licensure or discipline requirements.

(f) Home Study including internet and tele-courses.

(g) Published articles and books authored or co-authored by the licensee.

(h) 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.

(i) Service as an Oregon Board of Psychologist Examiners member or committee volunteer.

(j) Ethics committee meetings of professional associations.

(k) Formal trainings on office records organization, records maintenance and security procedures, or billing software instruction.

(l) Reading books or articles from peer-reviewed journals (home study).

Stat. Auth.: ORS 675.110

Stats. Implemented: ORS 675.110(14)

Hist.: BPE 2-1999, f. & cert. ef. 7-6-99; BPE 2-2002, f. & cert. ef. 2-27-02, 858-040-0035(2) Renumbered from 858-040-0045; BPE 4-2002, f. & cert. ef. 10-11-02; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 2-2011, f. & cert. ef. 5-31-11; BPE 2-2014, f. 6-2-14, cert. ef. 1-1-15; BPE 2-2016, f. & cert. ef. 2-1-16

#### **858-040-0036**

##### **Programs Which Do Not Qualify for Continuing Education Credit**

(1) Marketing; investments; and practice building strategies.

(2) Yoga; therapeutic massage;

(3) Non-Clinical administrative staff meetings;

(4) Word processing computer skills;

(5) Therapies which are not widely recognized as within the scope of practice of psychology, through research or scientifically demonstrated clinical effectiveness.

Stat. Auth.: ORS 675.110

Stats. Implemented: ORS 675.110(14)

Hist.: BPE 2-2002, f. & cert. ef. 2-27-02; Renumbered from 858-040-0035(5); BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 2-2014, f. 6-2-14, cert. ef. 1-1-15

#### **858-040-0055**

##### **Credit Hours Granted**

(1) Credit shall be given for actual hours attended.

(2) Credit shall be given for no more than 20 hours of continuing education for home study and study group hours combined in each reporting period.

(3) An instructor, discussion leader, or speaker shall be given two hours of credit for preparation for each hour of presentation time, and one hour of credit for each hour of presentation time.

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

(5) One hour of continuing education credit shall be given for reading 100 book pages or four peer-reviewed articles. Credit shall be given for no more than four hours (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, and no more than two hours of reading may be used to fulfill the one-time pain management continuing education requirement.

Stat. Auth.: ORS 675.110

Stats. Implemented: ORS 675.110(14)

Hist.: BPE 2-1999, f. & cert. ef. 7-6-99; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 2-2014, f. 6-2-14, cert. ef. 1-1-15; BPE 2-2016, f. & cert. ef. 2-1-16

#### **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 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. Documentation must at minimum show the qualified instructor(s)'s name and degree, date, start and end time, 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 consultation or supervision received: copies of a cancelled check or a signed verification by the psychologist providing services.

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

(g) 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.