



**Oregon Administrative Rules  
1998 Compilation**

**BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS**

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**Oregon Administrative Rules  
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**BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS**

**DIVISION 1**

**PROCEDURAL**

**833-001-0000**

**Notice of Proposed Rulemaking**

Prior to the adoption, amendment, or repeal of any rule, the Board of Licensed Professional Counselors and Therapists shall:

- (1) Publish notice of the adoption, amendment, or repeal in the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days prior to the effective date.
- (2) Mail such notice to persons on the Board of Licensed Professional Counselors and Therapists mailing list established pursuant to ORS 183.335 (7) at least 28 days before the effective date of the rule.
- (3) Mail or deliver such notice to the following:
  - (a) United Press International and Associated Press;
  - (b) Oregon Counseling Association;
  - (c) Oregon Chapter of the American Association of Marriage and Family Therapists; and
  - (d) Oregon college and university departments offering graduate degrees in counseling and marriage and family therapy.

Stat. Auth.: ORS 183.341 & 675.725

Stats. Implemented: ORS 183.341(4)

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1994, f. 12-30-94, cert. ef. 1-1-95

**833-001-0005**

**Model Rules of Procedure**

The Model Rules of Procedure as promulgated by the Attorney General of the State of Oregon under the Administrative Procedures Act effective November 1993, are by this reference adopted as the rules of procedure of the Board of Licensed Professional Counselors and Therapists.

[ED. NOTE: The full text of the Attorney General's Model Rules of Procedure is available from the office of the Attorney General or Board of Pharmacy.]

Stat. Auth.: ORS 183.341 & 675.725

Stats. Implemented: ORS 183.341(2)

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1994, f. 12-30-94, cert. ef. 1-1-95

## **833-001-0010**

### **Requiring an Answer to Charges as Part of Notices to Parties in Contested Cases**

In addition to the requirements stated in OAR 137-003-0000 of the Attorney General's Model Rules of Procedure adopted by OAR 833-001-0005, the notice to parties in contested cases may include a statement that an answer to the assertions or charges will be required, and if so, the consequence of failure to answer. A statement of the consequences of failure to answer may be satisfied by enclosing a copy of OAR 833-001-0015 with the notice.

Stat. Auth.: ORS Ch. 675

Stats. Implemented: ORS Ch. 183

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90

## **833-001-0015**

### **Hearing Request and Answers; Consequences of Failure to Answer**

- (1) A hearing request shall be made in writing to the Administrator by the party or the party's attorney.
- (2) If an answer is required, it shall be made in writing to the Administrator by the party or the party's attorney and shall include the following:
  - (a) An admission or denial of each factual matter alleged in the notice;
  - (b) A short and plain statement of each relevant affirmative defense the party may have.
- (3) Except for good cause:
  - (a) Factual matters alleged in the notice and not denied in the answer shall be presumed admitted;
  - (b) Failure to raise a particular defense in the answer will be considered a waiver of such defense;
  - (c) New matters alleged in the answer (affirmative defenses) shall be presumed to be denied by the agency; and
  - (d) Evidence shall not be taken on any issue not raised in the notice and the answer.

Stat. Auth.: ORS Ch. 675

Stats. Implemented: ORS 183.413

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90

## 833-001-0020

### Obtaining Information

(1) The Board will provide the following information in response to in-person or telephone inquiries regarding licensees: Name, license number, date licensed, if license is active or expired, business address and telephone number, summary of education and experience, and if there are complaints, or number and type of complaints filed with Board plus the status, disposition, or resolution of the complaint.

(2) Requests for any information other than that listed in section (1) of this rule may be required to be in writing, and may require payment for copies of documents.

Stat. Auth.: ORS 675.705 - 675.835

Stats. Implemented: ORS Ch. 192

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92

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**BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS**

**DIVISION 10**

**DEFINITIONS**

**833-010-0001**

**Definitions**

The definitions of terms used in ORS 675.705 to 675.835 and these administrative rules of the Board are:

- (1) "Accredited College or University" means the college or university is a fully accredited member of one of the regional institutional accreditation bodies or an institution that has been judged to have met standards comparable to those required for regional accreditation.
- (2) "Application of Counseling Theories and Techniques" may include diagnostic appraisal and assessment.
- (3) "Equivalent" means comparable in content and quality, but not identical.
- (4) "Identification and Treatment" may include diagnostic appraisal and assessment.
- (5) "Official Transcript" means a document certified by an accredited college or university indicating degree earned, hours and types of coursework, examinations and scores, completed by the student; and submitted by the school to the Board.
- (6) "Receipt" means the date received by the Board office as shown by U.S. Postal Service postmark, or date received stamp if document was not mailed or without postmark.

Stat. Auth.: ORS Ch. 183 & 675.705 - 675.835

Stats. Implemented: ORS 675.785

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1993, f. 12-30-93, cert. ef. 1-1-94

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**BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS**

**DIVISION 20**

**APPLICATION**

**833-020-0001**

**Application for Licensure As a Professional Counselor**

- (1) Application for licensure shall be made to the Board office and be on forms provided by the Board.
- (2) Application for licensure shall be accompanied by:
  - (a) The non-refundable application fee;
  - (b) Official transcript and supporting documentation as necessary showing education requirements have been met;
  - (c) Documentation to prove experience requirements have been met;
  - (d) Verification that approved examination has been passed, or state examination is being requested; and
  - (e) Professional disclosure statement.

Stat. Auth.: ORS 675.705 - 675.835

Stats. Implemented: ORS 675.715

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92

**833-020-0010**

**Application for Licensure As a Marriage and Family Therapist**

- (1) Application for licensure shall be made to the Board office and be on forms provided by the Board.
- (2) Application for licensure shall be accompanied by:
  - (a) The non-refundable application fee;

- (b) Official transcript and supporting documentation as necessary showing education requirements have been met;
- (c) Documentation to prove experience requirements have been met;
- (d) Verification that approved examination has been passed, or state examination is being requested; and
- (e) Professional disclosure statement.

Stat. Auth.: ORS 675.705 - 675.835

Stats. Implemented: ORS 675.715

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92

**833-020-0020**

**Reapplication**

- (1) Applicants, under ORS 675.715, will be allowed two years from Board receipt of an application in which to document meeting the educational and experience qualifications for licensure. Failure to withdraw the application or complete the process within the allowed time will result in denial of licensure.
- (2) Applicants who are approved for licensure will be allowed one year to complete the process from the date that notification of approval was mailed to the last known official address filed with the Board. Failure to withdraw the application or complete the process within the allowed time will result in denial of licensure.
- (3) Applicants who are approved for examination shall maintain examination status by sitting for examination once per year. Failure to document passage of an acceptable examination or registering and attempting to pass the state examination at least once per year will result in denial of licensure.
- (4) To be reconsidered for licensure, applicants who failed to become licensed, who withdrew from consideration or licensees who have allowed their licenses to expire will be required to file a new application, fee, and resubmit all documentation necessary to meet the standards for licensure in effect at the time of reapplication.
- (5) Former applicants or licensees who reapply for licensure may transfer previously filed documents to the new application file if the documents have not been destroyed under state records retention schedules and are still in the possession of the Board.

Stat. Auth.: ORS 675.715 & 675.785

Stats. Implemented: ORS 675.725

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

**833-020-0030**

**Semester Hour Equivalents**

When requirements for licensure are given in quarter hours, the following formula shall be used to determine equivalent hours: two semester hours is equal to three quarter hours; or one semester is equal to 1.5 quarters.

Stat. Auth.: ORS Ch. 675

Stats. Implemented: ORS 675.785(12)

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90

**833-020-0040**

**Educational Qualifications for Licensure as a Professional Counselor**

To qualify for licensure as a professional counselor under ORS 675.715(2), an applicant shall hold one of the following:

- (1) A graduate degree in counseling received from a program of no less than 72 quarter or 48 semester hours approved by the Council for Accreditation of Counseling and Related Educational Programs (CACREP);
- (2) A graduate degree in counseling received from a program of no less than 72 quarter or 48 semester hours approved by the Council on Rehabilitation Education (CORE);
- (3) A graduate degree determined by the Board to be comparable in both content and quality by meeting the academic and training program standards for graduate degrees set out in OAR 833-025-0001; or
- (4) A graduate degree, determined by the Board to meet a majority of the graduate degree standards defined in OAR 833-025-0001, and sufficient additional graduate training as set forth in OAR 833-025-0005, that together meet the graduate degree standards.

Stat. Auth.: ORS 675.715 & 675.785

Stats. Implemented: ORS 675.715 & 675.785

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 1-1991, f. 9-30-91, cert. ef. 10-1-91; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1993, f. 12-30-93, cert. ef. 1-1-94; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

**833-020-0050**

**Experience Requirements for Licensure as a Professional Counselor**

To qualify for licensure as a professional counselor under ORS 675.715(3), an applicant shall have completed three years of full-time supervised counseling experience meeting the following interpretation and standards:

- (1) The applicant must have completed no less than:
  - (a) 2,400 supervised direct client contact hours of counseling; and
  - (b) 120 supervision hours:
    - (A) Provided by an approved supervisor; and
    - (B) Obtained concurrently with the client contact hours.
- (2) The 2,400 supervised direct client contact hours:
  - (a) Must have been face to face with a client or clients, except that up to 200 client contact hours may have been via telephone;
  - (b) Must have been obtained after receipt of the qualifying graduate degree, except that:

- (A) Up to 800 client contact hours may have been completed during the clinical portion of the degree program; and
- (B) No less than 480 post-degree client contact hours must have been completed within 60 months immediately prior to the application for licensure.
- (3) The 120 supervision hours:
  - (a) Must be the result of a professional relationship between a qualified supervisor and a counselor. Such relationship involves discussions based on case notes, charts, records, and available audio or visual tapes. The supervisee presents assessments and treatment plans for the clients being seen. The supervisor focuses on the appropriateness of the plans and the supervisee's therapeutic skill. In contrast to consultation, the supervisor has the authority to direct treatment plans. In contrast to therapy, the supervisor will identify countertransference issues and develop a plan for the supervisee to work through those issues independently;
  - (b) Must be conducted in a professional setting, face to face, one to one, except:
    - (A) Up to 25 percent of the individual supervision may be conducted by telephone;
    - (B) Up to 50 percent of the supervision may be received in a group setting, which:
      - (i) Includes no more than 10 supervisees;
      - (ii) Where the leadership does not shift from one supervisor to another; and
      - (iii) Is not a staff or team meeting, discussion group, consultation session, or quality review and peer review group.
- (4) An approved supervisor, at the time of supervision must have:
  - (a) Held a master's degree in counseling or graduate degree judged equivalent by the Board;
  - (b) Had completed three years of post-graduate supervised clinical experience as a professional counselor or other mental health professional;
  - (c) For any supervision hours provided after June 30, 1992, had completed 30 clock hours of training in supervision theory and practice through post-master's workshops or post-master's graduate level academic coursework; and
  - (d) Was certified as a National Certified Counselor (NCC), Certified Clinical Mental Health Counselor (CCMHC), Certified Rehabilitation Counselor (CRC); or Certified Career Counselor (CCC); or
  - (e) Was licensed as a professional counselor in the State of Oregon or holds an Oregon or other state certification or licensure judged comparable by the Board, such as Oregon standard school counselors or Oregon psychologist associates or those state licensed as clinical psychologists, clinical social workers, and marriage and family therapists;
  - (f) In lieu of subsections (a), (b), (c), and (d), been an American Association for Marriage and Family Therapy approved supervisor or diplomate of the American Pastoral Counselors Association.
  - (g) Been someone other than a spouse or relative by blood or marriage or a person with whom the applicant has or had a personal relationship.
- (5) Supervision hours must be obtained concurrently with the client contact hours.

Stat. Auth.: ORS Ch. 675.715 & 675.785

Stats. Implemented: ORS 675.715 & 675.785

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-

1993, f. 12-30-93, cert. ef. 1-1-94; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96; LPCT 2-1996, f. 10-30-96, cert. ef. 11-1-96

## 833-020-0060

### Examination Requirement for Licensure as a Professional Counselor

All applicants for licensure as a professional counselor shall be required to pass an examination, which may consist of two separate examination sections, a competency section, which may be developed by the Board or be an approved alternative examination, and an Oregon laws and rules section.

(1) To qualify for licensure as a professional counselor under ORS 675.715(5), an applicant shall pass a competency examination administered by the Board or have passed one of the following competency examinations within 10 years from the date of application for licensure:

- (a) National Counselor Examination;
- (b) Certified Clinical Mental Health Counselor Examination;
- (c) Certified Rehabilitation Counselor Examination; or
- (d) Other exams as approved by the Board.

(2) The Board may use the National Counselor Examination (NCE) as the state examination.

(3) Passing scores:

- (a) For applicants completing the NCE as the state examination, will be the passing score for the NCE as determined by the National Board using the Angoff method;
- (b) For applicants who have passed the NCE for certification or for licensure in another state, or who have passed other examinations, the passing score established by the agency verifying passage of its examination.

(4) In addition to the approved competency examination, the Board may require passage of an Oregon state laws and rules examination.

Stat. Auth.: ORS 675.785

Stats. Implemented: ORS 675.715 & 675.785

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

## 833-020-0080

### Documentation of Requirements for Licensure as a Professional Counselor

Applicants for licensure as a professional counselor shall document having met the requirements for licensure as follows:

(1) Educational requirements by official transcript, and by a completed graduate degree standards form with required attachments if supporting documentation is necessary to prove the degree meets the requirements of OAR 833-025-0001;

- (2) Experience requirements by submission of attestations from employers or supervisors regarding the setting, hours of experience and supervision received, and background and training of supervisor per OAR 833-020-0050; and
- (3) Examination requirement by submission of verification an approved examination was taken and passed by the approved testing, licensing, or certification organization, or passage of the state examination.

Stat. Auth.: ORS 675.715 & 675.785

Stats. Implemented: ORS 675.715

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1993, f. 12-30-93, cert. ef. 1-1-94; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

**833-020-0090**

**Educational Requirements for Licensure as a Marriage and Family Therapist**

To qualify for licensure as a marriage and family therapist under ORS 675.715(2), an applicant shall hold one of the following:

- (1) A graduate degree in marriage and family therapy received from a program of no less than 72 quarter or 48 semester hours approved by the Commission on Accreditation for Marriage and Family Therapy Education (CAMFTE); or
- (2) A graduate degree determined by the Board to be comparable in both content and quality by meeting the academic and training program standards for graduate degrees set out in OAR 833-025-0001; or
- (3) A graduate degree, determined by the Board to meet a majority of the graduate degree standards defined in OAR 833-025-0001, and sufficient graduate training as set forth in OAR 833-025-0005, that together meet the graduate degree standards.

Stat. Auth.: ORS 675.715 & 675.785

Stats. Implemented: ORS 675.715 & 675.785

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 1-1991, f. 9-30-91, cert. ef. 10-1-91; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1993, f. 12-30-93, cert. ef. 1-1-94; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

**833-020-0100**

**Experience Requirements for Licensure as a Marriage and Family Therapist**

To qualify for licensure as a marriage and family therapist under ORS 675.715(4), an applicant shall have three calendar years of full-time supervised clinical work experience meeting the following interpretation and standards:

- (1) The applicant must have completed no less than:
  - (a) 2,000 supervised client contact hours of therapy; and
  - (b) 100 supervision hours:
    - (A) Provided by an approved supervisor; and
    - (B) Obtained concurrently with the client contact hours.

(2) The 2,000 supervised direct client contact hours:

(a) Must have been obtained after receipt of the qualifying graduate degree;

(b) Must have been obtained in three or more different calendar years; and

(c) Must have been face to face with a client or clients, except that up to 200 client contact hours may have been via telephone;

(d) Must have included no less than 1,000 hours working with couples and families; and

(e) Must include no less than 480 supervised client contact hours completed within 60 months immediately prior to the application for licensure.

(3) The 100 supervision hours:

(a) Must be the result of a professional relationship between a qualified supervisor and a therapist. such relationship involves discussions based on case notes, charts, records, and available audio or visual tapes. The supervisee presents assessments and treatment plans for the clients being seen. The supervisor focuses on the appropriateness of the plans and the supervisee's therapeutic skill. In contrast to consultation, the supervisor has the authority to direct treatment plans. In contrast to therapy, the supervisor will identify countertransference issues and develop a plan for the supervisee to work through those issues independently;

(b) Must be conducted in a professional setting, face to face, one to one, except:

(A) Up to 25 percent of the individual supervision may be conducted by telephone;

(B) Up to 50 percent of the supervision may be received in a group setting, which:

(i) Includes no more than 10 supervisees;

(ii) Where the leadership does not shift from one supervisor to another; and

(iii) Is not a staff or team meeting, discussion group, consultation session, or quality review and peer review group.

(4) An approved supervisor, at the time of supervision must have:

(a) Been an American Association for Marriage and Family Therapy (AAMFT) approved supervisor or a diplomate in the American Association of Pastoral Counselors; or

(b) Been licensed as a marriage and family therapist in the State of Oregon or held an Oregon or other state certification or licensure judged comparable by the Board, such as those for clinical psychologists, clinical social workers, and professional counselors and:

(A) Had specific training in the systemic approach to couples and family therapy;

(B) Had completed at least five years of clinical experience; and

(C) For any supervision hours provided after June 30, 1992, completed 30 clock hours of post-master's workshops or post-master's graduate-level training in supervision, theory and practice, the content of which included family and/or marriage and family treatment specialties.

(c) Been someone other than a spouse or relative by blood or marriage or a person with whom the applicant has or had a personal relationship.

(5) Supervision hours must be obtained concurrently with the client contact hours.

Stat. Auth.: ORS Ch. 675.715 & 675.785

Stats. Implemented: ORS 675.715 & 675.785

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1993, f. 12-30-93, cert. ef. 1-1-94; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96; LPCT 2-1996, f. 10-30-96, cert. ef. 11-1-96

## **833-020-0111**

### **Examination Requirement for Licensure as a Marriage and Family Therapist**

All applicants for licensure as a marriage and family therapist shall be required to pass an examination, which may consist of two separate examination sections, a competency section, which may be developed by the Board or be an approved alternative examination, and an Oregon laws and rules section.

(1) To qualify for licensure as a marriage and family therapist under ORS 675.715(5), an applicant shall pass a competency examination administered by the Board or have passed other approved alternative exams, within 10 years from the date of application for licensure, as approved by the Board.

(2) The Board may choose to purchase a national competency examination such as the marital and family therapy examination of the Association of Marital and Family Therapy Regulatory Boards in association with the Professional Examination Service.

(3) Passing score will be:

(a) The national norm for applicants completing the state examination;

(b) The passing score established by the agency verifying passage of its examination, for applicants completing an approved alternative examination.

(4) In addition to the approved competency examination, the board may require passage of an Oregon state laws and rules examination.

Stat. Auth.: ORS 675.785

Stats. Implemented: ORS 675.715 & 675.785

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

## **833-020-0120**

### **Documentation of Requirements for Licensure as a Marriage and Family Therapist**

Applicants for licensure as a marriage and family therapist shall document having met the requirements for licensure as follows:

(1) Educational requirements by official transcript, and by a completed graduate degree standards form with required attachments if supporting documentation is necessary to meet the degree requirements of OAR 833-025-0001;

(2) Experience requirements by submission of attestations from employers or supervisors regarding the setting, hours of experience and supervision received, and background and training of supervisor per OAR 833-020-0100(3); and



(3) Examination requirement by submission of verification an examination was taken and passed by the approved testing, licensing, or certification organization, passage of the state examination, or combination of .

Stat. Auth.: ORS 675.715 & Ch. 785

Stats. Implemented: ORS 675.715

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1993, f. 12-30-93, cert. ef. 1-1-94; LPCT 1-1-996, f. 1-3-96, cert. ef. 1-5-96

## **833-020-0130**

### **State Examination**

The state examination may consist of two sections, a professional competency section developed by the Board or a national examination developed for counselors or marriage and family therapists and a section and an Oregon laws and rules section. Sections may be administered and scored separately; however, the Board may require both be passed before the examination requirement for licensure is considered fulfilled.

(1) Applicants who have not taken and passed an approved competency examination within the last 10 years shall apply and be approved as meeting the education and experience requirements before submitting payment for and being authorized to take the state competency examination.

(2) First-time applicants for state competency examination shall submit a completed application 90 days prior to the next scheduled examination in order to sit for that examination. Applicants who submit and complete application within the 90 day cutoff will be offered an opportunity to sit for the following examination. Information on the next examination scheduled will be available from the Board office.

(3) Payment for the examination or re-examination shall be made within the timeframes established by the Board.

(4) Examination candidates shall be required to produce the authorization document and show picture identification or a prior approved substitute for picture identification before being allowed entrance to the examination.

(5) An examination candidate will be disqualified for obtaining help or information from notes, tests, or other individuals to answer the questions of the examination. A candidate will also be disqualified for attempting to, or for removing test-related materials or examination question information from the examination site.

(6) The Board will notify examination candidates, in writing, of the results of the examination (passing, failing, score). Results will not be given by any other means.

Stat. Auth.: ORS 675.785

Stats. Implemented: ORS 675.715 & 675.785

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

## **833-020-0140**

### **Application for Licensure by Reciprocity**

The Board will not grant blanket reciprocity. The Board will review the minimum standards for licensure by the other state at the time licensure was granted for equivalency with the Board's minimum standards for Oregon licensure. The

Board will conduct a review for each applicant for reciprocity on an individual basis.

(1) Application for licensure shall be made to the Board office and be on forms provided by the Board.

(2) Application for licensure shall be accompanied by:

(a) The non-refundable application fee;

(b) Official transcript of graduate degree that qualified the individual for licensure in the other state;

(c) Verification of licensure from the other state and information on the education, experience and examination requirements for licensure in that state at the time licensure was granted; and

(d) Professional disclosure statement.

(3) Applicant may be required to complete and pass an Oregon laws and rules examination.

Stat. Auth.: ORS 675.785

Stats. Implemented: ORS 675.735

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 1-1993, f. 12-30-93, cert. ef. 1-1-94; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

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**BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS**

**DIVISION 25**

**GRADUATE DEGREE STANDARDS AND CONTINUING EDUCATION**

**833-025-0001**

**Standards for Graduate Degrees**

(1) A graduate degree shall be determined by the Board as comparable in content and quality to degrees from CACREP and CAMFTE approved programs, if issued by a degree-granting program that meets the following standards:

(a) The degree was from an institution that:

(A) Was a fully accredited member of one of the regional institutional accreditation bodies at the time the degree was granted;

(B) Had a published admissions policy;

(C) Maintained student files containing a transcript;

(D) Operated an on-site clinic or provided representative sites; and,

(E) Had basic resource facilities.

(b) The degree was from a program that:

(A) Provided training in counseling or marriage and family therapy, recognized and supported by the institution;

(B) Had approval of the institution's governing body or state governmental body;

(C) Had identified goals and objectives with procedures for assessment;

(D) Maintained a file on all courses offered within the program, including syllabi, reading lists, description of evaluation process, with clearly identified prerequisite curricular experiences, core curriculum requirements, practicum and internship requirements;

(E) Had full-time (11/12 month) faculty program director or coordinator at the doctoral level in counseling, marriage and family therapy, or related professional specialty;

(F) Had full-time assigned faculty at the doctoral level in counseling or marriage and family therapy and adjunct faculty with graduate degrees in related professional specialty;

(G) Required students to have an approved faculty advisor at all times during enrollment;

(H) Had student admissions requirements consistent with general institutional admissions requirements for other graduate programs;

(I) Offered a minimum of a master's degree;

(J) Was of at least two years' duration, which by standard definition is 48 semester or 72 quarter hours;

(K) Included coursework requirements set forth in OAR 833-025-0005.

(L) Included a required supervised clinical experience for all students of no less than 600 clock hours; and

(M) Provided a practicum or internship site that:

(i) Had supervisory staff with a minimum of a master's degree in the program emphasis and with pertinent professional experience;

(ii) Made provision for faculty monitoring of operations;

(iii) Kept records of student-client contact hours including summary of student progress by the supervisor; and

(iv) Had a written agreement with the program and student specifying learning objectives.

(v) Had a mechanism for program evaluation.

(2) Pursuant to chapter 51, Oregon Laws 1993, a graduate degree shall be determined to meet a majority of the Board's standards, as set forth in section (1) of the administrative rule, if issued by a degree granting program that:

(a) Was from an institution that:

(A) Was regionally accredited;

(B) Had a published admissions policy;

(C) Maintained student files containing a transcript;

(D) Provided oversight and review to approved representative clinical training sites; and

(E) Had minimal resources for continuation of program operation.

(b) As part of the degree program:

(A) Provided training in counseling or marriage and family therapy, recognized and supported by the institution;

(B) Had approval of the institution's governing body or state governmental body;

(C) Had identified goals and objectives with procedures for assessment;

(D) Maintained a file on all courses offered within the program, including syllabi, reading lists, description of evaluation process, with clearly identified prerequisite curricular experiences, core curriculum requirements, practicum and internship requirements;

(E) Had full-time faculty member as program director or coordinator at the doctoral level in counseling, marriage and family therapy, or related professional specialty;

(F) Had additional masters-level faculty, one of which must be a full-time faculty member;

(G) Provided a faculty advisor;

(H) Had student admissions requirements consistent with general institutional admissions requirements for other graduate programs;

(I) Offered a minimum of a master's degree;

(J) Was of at least one year in duration, which by standard definition is 30 semester or 45 quarter hours;

(K) Included minimum coursework requirements for the degree as set forth in OAR 833-025-0005;

(L) Included a degree-required clinical experience with on-site supervisors having competence in counseling or marriage and family therapy and field supervision;

(M) Assured there was an agreement as to goals with the clinical site and the site provided client privacy; and

(N) Had a mechanism for program evaluation.

(3) Detailed evaluation criteria may be obtained from the Board office.

Stat. Auth.: ORS 675.715

Stats. Implemented: ORS 675.715 & 675.785

Stat. Auth.: ORS 675.715 & 675.785

Stats. Implemented: ORS 675.715(2) & 675.785(7)(12)

Hist.: LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1993, f. 12-30-93, cert. ef. 1-1-94; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

## **833-025-0005**

### **Standards for Degree Coursework**

(1) The curriculum standards for degrees set forth in OAR 833-025-0001(1)(b)(K) are to include as follows:

(a) For counseling degrees, based on 72 quarter or 48 semester hours:

(A) Counseling theory, 3 quarter hours;

(B) Human growth and development, 3 quarter hours;

(C) Social and cultural foundations, 3 quarter hours;

(D) The helping relationship, 3 quarter hours;

(E) Group dynamics processing and counseling, 3 quarter hours;

(F) Lifestyle and career development, 3 quarter hours;

- (G) Appraisal of individuals, 3 quarter hours;
- (H) Research and evaluation, 3 quarter hours;
- (I) Professional orientation, 3 quarter hours;
- (J) Clinical/applied experience, 12-24 quarter hours of at least 600 clock hours; and
- (K) Supporting coursework for specialty areas, 24-33 quarter hours.

(b) For marriage and family therapy, based on 72 quarter or 48 semester hours:

- (A) Human development, 9-15-quarter hours;
- (B) Marital and family studies, 3-12 quarter hours;
- (C) Marital and family therapy, 15-21 quarter hours;
- (D) Professional studies, 3 quarter hours;
- (E) Research methods or statistics, 3 quarter hours;
- (F) Clinical/applied experience, 12+ quarter hours of at least 600 clock hours; and
- (G) Supporting coursework for specialty areas, 6-27 quarter hours.

(2) To meet a majority of the curriculum standards for degrees, the degree program shall have required as a minimum the following:

(a) For counseling degrees, based on 45 quarter hours or 30 semester hours, of which 27 quarter hours shall be comprised of:

- (A) Counseling theory, 3 quarter hours;
- (B) At least 3 quarter hours in six of the following eight areas: human growth and development, social and cultural foundations, helping relationship, group dynamics, lifestyle and career development, appraisal of individuals, research and evaluation, professional orientation; and
- (C) Clinical/applied experience, 6 quarter hours.

(b) For marriage and family therapy degrees, 45 quarter hours or 30 semester hours, of which 27 quarter hours shall be comprised of:

- (A) Human development, 6 quarter hours;
- (B) Marital and family studies, 6 quarter hours;
- (C) Marital and family therapy, 3 quarter hours;
- (D) Professional studies, 6 quarter hours; and
- (E) Clinical/applied experience, 6 quarter hours.

Stat. Auth.: ORS 675.715 & 675.785

Stats. Implemented: ORS 675.785(7)

Hist.: LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 1-1993, f. 12-30-93, cert. ef. 1-1-94

## **833-025-0006**

### **Additional Graduate Training to Supplement Degree Program**

(1) Training used to supplement a degree program pursuant to OAR 833-025-0001(2), shall be taken and successfully completed for graduate credit at an accredited college or university as follows:

(a) As part of a graduate program, or at the graduate level through a counselor or marriage and family therapy program or any other department offering training that meets the competency areas for such a program as defined by CACREP or CAMFTE;

(b) Up to but no more than ten percent of the training which is theoretical in nature may be by distance learning. Skill building coursework must be through attended classes or training.

(2) Regardless of the total number of quarter or semester hours completed by the applicant:

(a) For the professional counselor license, the minimum requirements set forth in OAR 833-025-0001(1)(a)(A)-(J) must be fulfilled. If the minimum requirements, have been fulfilled, but the applicant has not completed 72 quarter or 48 semester hours, then additional courses shall be required in other competency courses, in specialty areas, or in courses offering knowledge and skills for the practice of professional counseling;

(b) For the marriage and family therapist license, the following must be completed: human development coursework to a total of 12 quarter hours, marital and family studies to a total of 9 quarter hours, marital and family therapy to a total of 15 quarter hours, and clinical/applied experience with couples and families to a total of 12 quarter hours. If the minimum requirements have been fulfilled, but the applicant has not completed 72 quarter or 48 semester hours, then additional courses shall be required in professional studies, specialty areas, or in courses offering knowledge and skills for the practice of marriage and family therapy.

(3) To fulfill the requirements for the clinical/applied experience, the applicant shall:

(a) Complete a practicum or internship for the required credits and to a total of at least 600 clock hours; or

(b) If the applicant has at least five years of full-time post-degree experience, may complete a class in advanced clinical or applied coursework which may not require site placement, but involves both theoretical and experiential components. Completion will waive the requirement that clinical experience include at least 600 clock hours;

(c) The clinical experience for applicants for licensure of marriage and family therapists shall consist of work in relationship issues, couples, and families.

Stat. Auth.: ORS 675.715 & 675.785

Stats. Implemented: ORS 675.715(2)(d)

Hist.: LPCT 1-1993, f. 12-30-93, cert. ef. 1-1-94

## **833-025-0050**

### **Continuing Education and Supervision Requirements**

(1) Licensees shall complete 20 clock hours of approved continuing education every license year, April 1 through April

1, as a condition of renewal, except:

(a) For the first renewal following initial licensure;

(b) Following Board approval of a petition for waiver or extension of time based on documentation showing that the licensee was prevented from completing the requirements because of serious illness or disability.

(c) Following a contractual agreement with the Board that the licensee will not be practicing counseling or marriage and family therapy for an extended period of time because the licensee is retired; on maternity leave; or voluntarily not working; and that the licensee will not resume practice without a Board-approved plan for participating in 20 clock hours of continuing education or clinical supervision.

(2) Up to 10 hours may be satisfied through receipt of professional supervision by any licensed mental health professional. Supervision hours may be obtained by participation in a supervision group with a designated supervisor who is a state licensed mental health professional.

(3) Up to 5 hours claimed may be obtained through:

(a) Distance learning, such as correspondence courses

(b) For a professional publication.

(4) Approved continuing education shall consist of professional education in one or more of the following program areas:

(a) For professional counselors:

(A) Counseling theory;

(B) Human growth and development;

(C) Social and cultural foundations;

(D) The helping relationship;

(E) Group dynamics;

(F) Life-style and career development;

(G) Appraisal of individuals;

(H) Research and evaluation;

(I) Professional orientation and ethics; or

(J) Professional supervision training.

(b) For marriage and family therapists:

(A) Theory of marital and family therapy,

(B) Assessment and treatment in marital and family therapy;

(C) Human development and family studies;

(D) Ethics and professional studies;



(E) Research; or

(F) Professional supervision training.

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

(a) Fifteen clock hours shall be granted for one academic semester hour;

(b) Ten clock hours shall be granted for one academic quarter hour;

(c) Ten clock hours shall be granted for one continuing education unit;

(d) The number of clock hours granted for a program offered by an approved provider, as defined in section (6) of this rule, will be determined by the definition of clock hour in this rule.

(6) Approved programs shall include:

(a) Academic courses offered in accredited degree counseling or marriage and family therapy programs; or

(b) Presentations sponsored by departments of accredited educational institutions; national, regional, state, or local professional organizations or associations; public or private human services agencies or organizations; private consultants; or individuals that meet the following approved provider guidelines:

(A) Program is presented by competent individuals as documented by appropriate academic training, professional licensure or certification, or professionally recognized experience. Presenters should have an identifiable involvement with human services;

(B) Program meets the professional needs of the licensee's intended clientele;

(C) Program has a minimum duration of one clock hour;

(D) Except for non-classroom distance learning, program is offered in a place which is accessible to persons with disabilities;

(E) Distance learning program includes mechanism for evaluation, measurement, or confirmation of exchange of information;

(F) Programs approved by National Association of Social Workers, National Board for Certified Counselors, Oregon Psychological Association, and American Counseling Association.

Stat. Auth.: ORS 675.785

Stats. Implemented: ORS 675.725 7 675.785

Hist.: LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1993, f. 12-30-93, cert. ef. 1-1-94; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

**833-025-0060**

## **Documentation and Submission of Continuing Education**

(1) Licensees shall certify to the Board, at the time of annual renewal, that the continuing education requirements were

met by providing a summary list of continuing education courses or professional supervision received.

(2) Licensees shall maintain documentation as proof that the licensee has satisfied the continuing professional education requirements and, if requested by the Board, will make them available for inspection. Documentation shall include proof of actual attendance or completion as well as content, duration, and provider such as:

- (a) Transcripts from accredited educational institutions when taken for credit;
- (b) Certificates (originals or copies) of completion or signed statements from instructors for non-credit or audited courses at accredited educational institutions;
- (c) Copies of certificates of completion furnished by the provider for non-accredited educational institution programs;
- (d) Signed statements of professional supervision by the individual providing the supervision;
- (e) Copies of documents detailing description of program, including but not limited to content, dates, instructor, sponsor, and duration.

(3) The Board will conduct an audit of the records of randomly selected licensees to verify actual participation and completion of approved continuing professional education. Failure to maintain or document actual completion of continuing professional education claimed, failure to make such records available to the Board for inspection, or falsification of reports may result in disciplinary action by the Board.

(4) Failure to document required hours, or certifying programs or supervision not meeting approval requirements, will result in non-renewal or, in the case of discovery after renewal, possible suspension of license.

Stat. Auth.: ORS 675.785

Stats. Implemented: ORS 675.725

Hist.: LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

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**BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS**

**DIVISION 30**

**LICENSE ISSUANCE**

**833-030-0001**

**Effective and Expiration Dates of Licenses**

- (1) Initial licenses shall be issued for no more than one year, expiring on April 1 following issuance.
- (2) Date of issue shall be the date all qualifications for licensure are determined to have been met.
- (3) Licenses shall not be issued without payment of the required initial license or renewal fees.
- (4) A licensee may voluntarily surrender a license only upon the express written consent of the Board. Such license will not be subject to renewal.

Stat. Auth.: ORS 675.785

Stats. Implemented: ORS 675.725 & 675.785

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

**833-030-0010**

**Renewal/Late Renewal**

Renewal of a license may be made by payment of the renewal fee no more than 45 days before, on or within 30 days after the annual renewal date (determined either by date postmarked by U.S. Postal Service, or if not postmarked by date received in Board office) accompanied by:

- (1) The completed renewal form provided by the Board which shall include a sworn statement that there is no reason for denial of renewal;
- (2) Continuing education information detailing compliance with the requirements, if applicable;
- (3) An updated, approved professional disclosure statement, if renewal information indicates that the one on file with

the Board can no longer be approved because it may be construed to contain false, incomplete or misleading information.

Stat. Auth.: ORS 675.725

Stats. Implemented: ORS 675.725

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1994, f. 12-30-94, cert. ef. 1-1-95

**833-030-0020**

**Duplicate Licenses**

- (1) Duplicate licenses or certificates may be obtained by:
  - (a) Certifying, by signed statement, that the current license or certificate has been lost or destroyed; or
  - (b) Requesting a duplicate for additional place(s) of business;
  - (c) In either case, payment of the required fee.
- (2) Reproduction of a license or certificate by anyone other than Board staff for use as a license document or for display is prohibited.

Stat. Auth.: ORS Ch. 675

Stats. Implemented: ORS Ch. 192

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90

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**BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS**

**DIVISION 40**

**FEES**

**833-040-0001**

**Fees**

Fees established by the Board of Licensed Professional Counselors and Therapists are as follows:

- (1) Application for licensure &endash; \$100.
- (2) Initial license &endash; \$30.
- (3) Annual renewal of license &endash; \$80.
- (4) Restoration fee &endash; \$50.
- (5) Examination:
  - (a) For professional counselor license &endash; \$75;
  - (b) For marriage and family therapist license &endash; \$205.
- (6) Duplicate license or certificate of licensure &endash; \$5.
- (7) Verification of licensure or examination scores for applicant or licensee to other licensing or certifying agencies &endash; \$10.
- (8) Annual renewal of registration as intern &endash; \$40.

Stat. Auth.: ORS Ch. 675.785

Stats. Implemented: ORS 675.785

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 1-1991, f. 9-30-91, cert. ef. 10-1-91; LPCT 1-1993, f. 12-30-93, cert. ef. 1-1-94; LCPT 1-1997, f. 10-10-97, cert. ef. 11-1-97

## **833-040-0010**

### **Fee Refunds**

- (1) Examination fees will be refunded if the applicant does not meet the qualifications for licensure, if submitted before authorization for examination has been granted.
- (2) Examination fees will not be refunded once an applicant has been approved to take the examination, even if the applicant is unable to participate in the examination for any reason.
- (3) Overpayment of fees or fees submitted before required as part of application, shall be refunded.

Stat. Auth.: ORS 675.705 - 675.835

Stats. Implemented: ORS

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92

## **833-040-0020**

### **Charges for Copies and Documents**

- (1) All requests for copies of public records pertaining to the Board of Licensed Professional Counselors and Therapists and available at the Board office shall be in writing.
- (2) Charges for copies, documents, and services shall be as follows:
  - (a) For machine copies requested by other state agencies and by the general public, ten cents per image;
  - (b) For documents developed by the Board, an amount fixed by the Board Administrator not exceeding the actual preparation cost per copy;
  - (c) For both machine copies and documents, an additional amount set at the discretion of the Board Administrator for staff time required for search, handling, and copying.
- (3) Charges for the general public shall be payable in cash. Charges to state agencies shall be payable in cash unless billing to such agencies is authorized by the Board Administrator.

Stat. Auth.: ORS Ch. 675

Stats. Implemented: ORS 192.440(1)

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90

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**BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS**

**DIVISION 50**

**PRACTICE**

**833-050-0001**

**Use of Title**

Licensees with licenses that have not been expired for more than 30 days or been suspended or revoked, issued by the Board may use the title "licensed" in conjunction with the terms professional counselor or marriage and family therapist, or the initials "LPC" or "LMFT" or any permutation of those initials, to indicate license held. Licensees with licenses that have expired for more than 30 days, that have been suspended or revoked, or that have been resigned or retired shall not use the title "licensed" and shall make clear to clients that they are not currently licensed and do not possess a valid license as set forth in ORS 675.825(b) and (c).

Stat. Auth.: ORS 675.785

Stats.Implemented: ORS 675.825

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

**833-050-0010**

**Filings with the Board**

- (1) All licensees shall file the following information with the Board:
  - (a) Residence address, both location and post office box, if applicable;
  - (b) Name of business or businesses, where counseling or marriage and family therapy is performed, and address, both location and post office box, if applicable, or confirmation that licensee is not currently practicing;
  - (c) Telephone number of place or places of practice;
  - (d) Complete copy of current, up-to-date and accurate Disclosure Statement being provided to clients as required of licensee.
- (2) Any initial filings or changes to any of the filings required by this rule shall be reported to the Board office in written



form and signed by the licensee. Initial filings shall be made within 30 days from the date of licensing. Report of any change of information shall be made within 30 days of the change.

Stat. Auth.: ORS 675.705 - 675.835

Stats. Implemented: ORS 675.785(1)

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92

## **833-050-0020**

### **Disclosure Statement**

(1) To be approved by the Board, the professional disclosure statement shall include the information set forth in and required by ORS 675.755 and shall:

(a) Include the name of the business as part of the business address;

(b) As part of the philosophy of counseling, include reference to any codes of standards or ethics to which the licensee subscribes, including statement that the licensee will adhere to the Oregon Licensing Board's Code of Ethics set forth in OAR Chapter 833, Division 60;

(c) Include the bill of rights of clients listed in paragraphs (4)(h)(A) - (G) of the Code of Ethics;

(d) Include formal education and training, title of highest relevant degree, school granting degree, and major coursework;

(e) Include the state licensure requirements for continuing education as well as any significant post-degree work relating to professional practice;

(f) Be printed on forms no less than 8-1/2 inches wide by 11 inches long, with clear type no smaller than 10 point so as to be easily read by the average person, or be made accessible to people with disabilities.

(2) Licensees shall make a reasonable effort to assist the client to understand the information presented in the disclosure statement as required by the Code of Ethics.

(3) Licensees practicing outside Oregon are not required to provide disclosure statements to clients; however, this does not exempt them from filing and updating statements with the Board.

Stat. Auth.: ORS 675.705 - 675.835

Stats. Implemented: ORS 675.755

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92

## **833-050-0030**

### **Response to Complaints**

(1) Charges or information, filed by any person, group of persons, or the Board on its own action that a counselor or therapist, licensee, or applicant for licensure is incompetent or has committed an act or acts in violation of ORS 675.745, 675.755, or 675.765, the licensing law or rules adopted by the Board including the Code of Ethics shall be considered a complaint of professional misconduct.

(2) Charges or information, filed by any person, group of persons, or the Board on its own action that a person who does not hold a valid license issued under ORS 675.715 is or has indicated state licensure as a professional counselor or marriage and family therapist shall be considered a complaint of title violation.

(3) Complaints, other than those filed by the Board, shall be in writing or written format. The Board will not accept oral complaints. The Board shall make forms available to the public and may require that a complaint be filed on the Board's form.

(4) Upon receipt of a complaint, a complaint file will be opened. The Board or its delegated representative will review the complaint and determine if further action is necessary. Such actions include, but are not limited to, acknowledging the complaint, notifying the individual against whom the complaint was filed, notifying the complainant that the Board has no authority to investigate or take action, initiating an investigation, or recommending Board discussion.

(5) Board discussions may be held in executive session, actions shall be decided during public session during Board meetings. Actions possible include, dismissal of the complaint, requesting forms or additional information, authorizing investigation, proposing disciplinary action, proposing non-disciplinary action.

(6) If a complaint is assigned for investigation, the applicant for licensure or licensee who is the subject of the complaint, shall be asked to file a written response to the charges. Licensees and applicants shall cooperate with Board representatives during investigations into complaints.

(7) Following investigation, the Board may dismiss a complaint, issue a warning, propose disciplinary action, propose non-disciplinary action, negotiate a stipulated agreement in lieu of hearing, default, or disciplinary action.

(8) The Board shall maintain written procedures for handling complaints, which shall be available through the Board office.

Stat. Auth.: ORS 675.785

Stats. Implemented: ORS 675.785

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

## **833-050-0040**

### **Disciplinary Action**

(1) The Board shall initiate disciplinary actions for failure to meet licensing requirements, or violation of the licensing law or rules when it determines probable cause of:

- (a) Failure to meet the standards requirements for licensure or continuation of licensure that are unlikely to harm clients or the public;
- (b) Professional misconduct or incompetence that are capable of causing or resulting in harm to a client or the public;
- (c) Title violation.

(2) Proposed disciplinary actions include, but are not limited to:

- (a) Suspension or revocation of licensure;
- (b) Refusal to issue or renew a license;
- (c) Civil penalty of up to \$1,000 per occurrence for title violation.

(3) Negotiated disciplinary actions include, but are not limited to, letter of reprimand, limited suspension, probation, limited practice, education, enrollment in an impaired professional program, rehabilitation, supervision, therapy, payment, or any combination thereof.

(4) Non-disciplinary actions include, but are not limited to, letter of concern; voluntary diversion or enrollment in an impaired professionals program, education, rehabilitation, supervision, therapy, payment, or any combination thereof.

Stat. Auth.: ORS 675.785

Stats. Implemented: ORS 675.745

Hist.: LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

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**Oregon Administrative Rules  
1998 Compilation**

**BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS**

**DIVISION 60**

**CODE OF ETHICS**

**833-060-0001**

**Code of Ethics**

Individuals licensed by the Board of Licensed Professional Counselors and Therapists shall abide by the following code of ethics. Violation of the provisions of this code of ethics shall be considered unprofessional or unethical conduct and is sufficient reason for disciplinary action, including but not limited to denial of licensure.

(1) Responsibility. A licensee's primary professional responsibility is to the client. A licensee must make every reasonable effort to advance the welfare and best interests of families and individuals. A licensee must respect the rights of those persons seeking assistance and make reasonable efforts to ensure that the licensee's services are used appropriately:

- (a) A licensee must recognize that there are other professional, technical, and administrative resources available to clients. The licensee must make a reasonable effort to provide referrals to those resources when it is in the best interest of clients to be provided with alternative or complementary services or when the client requests a referral;
- (b) A licensee must seek appropriate professional assistance for the licensee's own personal problems or conflicts that are likely to impair the licensee's work performance and clinical judgment;
- (c) A licensee must not permit a trainee or intern under the licensee's supervision to perform, nor purport to be competent to perform, professional services beyond the trainee's or intern's level of training and must accept responsibility for the effects of the actions of the trainee or intern of which they should be aware;
- (d) A licensee must not practice under the influence of alcohol or any controlled substance not prescribed by a physician;
- (e) In the course of professional practice, a licensee must not violate any law concerning the reporting of abuse of children and vulnerable adults;
- (f) A licensee must not deny professional services to anyone on the basis of race, religion, sex, political affiliation, social status, or choice of lifestyle;
- (g) A licensee must not provide services to a client when the licensee's objectivity or effectiveness is impaired. Whenever a licensee's objectivity or effectiveness becomes impaired during a professional relationship with a client, the

licensee must notify the client orally or in writing that the licensee can no longer serve the client professionally and must make a reasonable effort to assist the client in obtaining services from another professional;

(h) A licensee must respect the right of a client to make decisions and must help the client understand the consequences of the decisions. A licensee must advise a client that all decisions are the responsibility of the client;

(i) A licensee must terminate a client relationship when it is reasonably clear that the treatment no longer serves the client's needs or interests.

(2) Integrity. A licensee must act in accordance with the highest standards of professional integrity and competence. A licensee must be honest in dealing with clients, students, trainees, colleagues, and related third parties, and the public:

(a) A licensee must recognize the potentially influential position the licensee may have with respect to students, employees, supervisees, and clients and must avoid exploiting the trust and dependency of these persons. A licensee must make every effort to avoid dual relationships. Examples of such dual relationships include, but are not limited to, provisions of counseling or therapy to relatives, students, employees, or supervisees, and business or close personal relationships with students, employees, supervisees, or clients:

(A) A licensee shall not enter into a relationship with a client that conflicts with the ability of the client to benefit from the professional relationship or that may impair the professional judgment of the licensee or increase the risk of exploitation of the client;

(B) A licensee shall not enter into an employer, supervisor, or other relationship where there is potential for exercising undue influence on any client. This includes the sale of services or goods that will exploit the client for financial gain or personal gratification of the licensee or a third party;

(C) A licensee shall not engage in or solicit sexual acts or a sexual relationship with a supervisee;

(D) A licensee shall not engage in or solicit sexual acts or a sexual relationship with a client, or with a former client within three years since the rendering of professional services;

(E) A licensee shall not engage in or solicit sexual acts or a sexual relationship with a former client after three years from the termination of services if such act or solicitation could exploit the client. Exploitation may be indicated by such factors as the time elapsed between the termination of the professional relationship and the beginning of the sexual relationship, nature and duration of therapy, circumstances of termination of professional relationship, client personal history, client's current mental status, likelihood of adverse impact on client, and whether the licensee attempted to protect the client by referral or consultation;

(F) A licensee shall not enter into an employment, business, supervisory, or other personal relationship or relationship that involves the exchange of goods and services with a former client if exploitation can be demonstrated by review of such factors as amount of time that has passed, nature and duration of therapy, circumstances of termination of professional relationship, client's personal history, client's current mental status, likelihood of adverse impact on client, and whether client encouraged a post-treatment relationship during the professional relationship.

(b) A licensee must make financial agreements regarding referrals known to client;

(c) A licensee must not allow an individual or agency that is paying for the professional services of a client to exert undue influence over the licensee's evaluation or treatment of the client;

(d) A licensee must not engage in sexual or other harassment of a client, former client, or supervisee, nor in any verbal or physical behavior that is sexually seductive or sexually demeaning to the client or former client;

(e) A licensee must not use the counseling relationship to further personal, religious, political, sexual, or financial interests;

(f) A licensee must inform a client of a divergence of interests, values, attitudes, or biases between a client and the licensee that is sufficient to impair their professional relationship. Either the client or the therapist may terminate the relationship.

(3) Confidentiality. A licensee must hold in confidence all information obtained in the course of professional services, as within the limits of the setting, such as a public agency. A licensee must safeguard client confidences as permitted by law and rule:

(a) A licensee must not use any confidence of a client to the client's disadvantage;

(b) A licensee, and employees and professional associates of the licensee, must not disclose any private information that the licensee, employee, or associate may have acquired in rendering services except as provided by law or rule. All other private information must be disclosed only with the informed consent of the client;

(c) A licensee must be responsible for being aware of the complicated regulations concerning confidentiality and for informing clients of the limits of confidentiality;

(d) Whenever licensee services are requested or paid for by one client for another, the licensee must inform both clients of the licensee's responsibility to treat any information gained in the course of rendering the services as private information;

(e) A licensee must limit access to client records and must inform every individual associated with the agency or facility of the licensee, such as a staff member, student, or volunteer, that access to client records must be limited to only the licensee with whom the client has a professional relationship, an individual associated with the agency or facility whose duties require access, and an individual authorized to have access by the informed written consent of the client. Client records are defined as the records of the counseling or therapeutic relationship, including interview notes, test data, correspondence, or recordings;

(f) A licensee must continue to maintain as private information the records of a client after the professional relationship between the licensee and the client has ceased. The licensee must store and dispose of records in ways that maintain confidentiality. The licensee must make provision for the confidential disposition of records in the event the licensee is unable to do so for reasons such as illness or death;

(g) A licensee must disclose to the Board and its agents client records that the Board and its agents consider to be germane to a disciplinary proceeding;

(h) A licensee must obtain written, informed consent from each client before electronically recording sessions with that client or before permitting third-party observations of their sessions;

(i) A licensee must disguise adequately the identity of a client when using material derived from a counseling relationship for purposes of training, research, professional meetings, or publications;

(j) A licensee shall provide clients reasonable access to records concerning them and should take due care to protect the confidences of others contained in those records, or when information from others about the client could result in harm to that person or persons upon disclosure to the client. Following guidelines set forth in ORS 107 and ORS 675.765(1), unless otherwise ordered by the court, parents shall have access to the client records of juveniles who are receiving professional services from the licensee;

(k) Licensee should keep client records no less than five years from conclusion of treatment and should inform clients as to how long records are retained.

(4) Department. A licensee accepts the obligation to conform to higher standards of personal conduct than those applying to the general public. A licensee will respect the traditions of the profession, and refrain from any conduct that would bring discredit to the profession:

(a) A licensee must correct, wherever possible, false, misleading, or inaccurate information and representations made by others concerning the licensee's qualifications, services, or products. A licensee must not advertise in a way that is false, fraudulent, or misleading to the public. A licensee must not engage in any conduct likely to deceive or defraud the public or the Board. A licensee shall not participate in, condone, or be associated with dishonesty, fraud, deceit, or misrepresentation;

(b) A licensee must file a complaint with the Board when the licensee has reason to believe that another licensee is or has been engaged in conduct which violates law or rules adopted by the Board. This requirement to file a complaint does not apply when the belief is based on information obtained in the course of a professional relationship with a client who is the other counselor or therapist; however, this does not relieve a licensee from the duty to file any reports required by law, concerning abuse of children and vulnerable adults;

(c) A licensee must not engage in sexual or other harassment or exploitation of clients, students, trainees, employees, colleagues, research subjects, or actual or potential witnesses or complainants in ethical proceedings;

(d) A licensee must understand the areas of competence of related professions and act with due regard for the need, special competencies and obligations of colleagues in other allied professions, and must not disparage the qualifications of any colleague;

(e) A licensee must recognize the importance of clear understandings on financial matters with clients. Arrangements for fees and payments must be made at the beginning of the counseling or therapeutic relationship;

(f) A licensee must make certain that the qualifications of persons in a licensee's employ are represented in a manner that is not false or misleading;

(g) A licensee must not perform, nor pretend to be able to perform, professional services beyond the licensee's field or fields of competence. A licensee shall not misrepresent professional qualifications, education, experience, or affiliations;

(h) A licensee must make available as part of the disclosure statement a bill of rights of clients, including a statement that consumers of counseling or therapy services offered by Oregon licensees have the right:

(A) To expect that a licensee has met the minimal qualifications of training and experience required by state law;

(B) To examine public records maintained by the Board and to have the Board confirm credentials of a licensee;

(C) To obtain a copy of the Code of Ethics;

(D) To report complaints to the Board;

(E) To be informed of the cost of professional services before receiving the services;

(F) To be assured of privacy and confidentiality while receiving services as defined by rule and law, including the following exceptions:

(i) Reporting suspected child abuse;

(ii) Reporting imminent danger to client or others;

(iii) Reporting information required in court proceedings or by client's insurance company, or other relevant agencies;

(iv) Providing information concerning licensee case consultation or supervision; and

(v) Defending claims brought by client against licensee;

(G) To be free from being the object of discrimination on the basis of race, religion, gender, or other unlawful category while receiving services.

Stat. Auth.: ORS 675.785

Stats. Implemented: ORS 675.785

Hist.: LPCT 1-1990(Temp), f. & cert. ef. 3-6-90; LPCT 2-1990, f. 8-31-90, cert. ef. 9-1-90; LPCT 2-1992, f. 11-30-92, cert. ef. 12-1-92; LPCT 1-1993, f. 12-30-93, cert. ef. 1-1-94; LPCT 1-1996, f. 1-3-96, cert. ef. 1-5-96

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