

# Senate Bill 229

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for State Board of Psychologist Examiners)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes State Board of Psychologist Examiners to order psychological, physical and psychiatric assessments of licensees.

## A BILL FOR AN ACT

1  
2 Relating to licensee assessments ordered by the State Board of Psychologist Examiners; creating  
3 new provisions; and amending ORS 675.110.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 675.110 is amended to read:

6 675.110. The State Board of Psychologist Examiners shall have the following powers, in addition  
7 to the powers otherwise granted under ORS 675.010 to 675.150, and shall have all powers necessary  
8 or proper to carry the granted powers into effect:

9 (1) To determine qualifications of applicants to practice psychology in this state; to cause to  
10 have examinations prepared, conducted and graded and to grant licensing to qualified applicants  
11 upon their compliance with the provisions of ORS 675.010 to 675.150 and the rules of the board.

12 (2) To grant or deny renewal of licenses, and to renew licenses which have lapsed for nonpay-  
13 ment of the renewal fee, subject to the provisions of ORS 675.010 to 675.150.

14 (3) To suspend or revoke licenses, subject to ORS 675.010 to 675.150.

15 (4) To issue letters of reprimand, to impose probationary periods with the authority to restrict  
16 the scope of practice of a licensed psychologist or to require practice under supervision.

17 (5) To impose civil penalties not to exceed \$1,000.

18 (6) To restore licenses which have been suspended or revoked or voided by nonpayment of the  
19 renewal fee.

20 (7)(a) To collect fees for application, examination and licensing of applicants, for renewal of li-  
21 censes, and for issuance of limited permits, such fees to be used to defray the expenses of the board  
22 as provided in ORS 675.140.

23 (b) The board may collect a delinquent renewal fee for licenses renewed after the deadline for  
24 renewal but before the grace period for renewal has expired.

25 (8) To investigate alleged violations of ORS 675.010 to 675.150.

26 (9) To issue subpoenas for the attendance of witnesses, take testimony, administer oaths or af-  
27 firmations to witnesses, conduct hearings, require the production of relevant documents in all pro-  
28 ceedings pertaining to the duties and powers of the board.

29 (10) To enforce ORS 675.010 to 675.150 and to exercise general supervision over the practice of  
30 psychology in this state.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (11) To adopt a common seal.

2 (12) To formulate a code of professional conduct for the practice of psychology giving particular  
3 consideration to the Ethical Standards of Psychologists promulgated by the American Psychological  
4 Association.

5 (13) To establish standards of service and training and educational qualifications for the ren-  
6 dering of ethical psychological services in this state, including the formulation of standards for the  
7 issuance of licenses for areas of special competence.

8 (14) To formulate and enforce continuing education requirements for duly licensed psychologists  
9 to insure the highest quality of professional services to the public.

10 (15) To deny renewal of a license, or renewal of a license that has lapsed for nonpayment of the  
11 renewal fee, unless prior to payment of the renewal fee described in subsection (7) of this section  
12 the applicant completes, or provides documentation of previous completion of:

13 (a) A pain management education program approved by the board and developed in conjunction  
14 with the Pain Management Commission established under ORS 409.500; or

15 (b) An equivalent pain management education program, as determined by the board.

16 **(16) To require a licensed psychologist to undergo a psychological, physical or psychiatric**  
17 **assessment as provided in section 3 of this 2007 Act.**

18 ~~[(16)]~~ (17) For the purpose of requesting a state or nationwide criminal records check under ORS  
19 181.534, to require the fingerprints of a person who is:

20 (a) Applying for a license that is issued by the board;

21 (b) Applying for renewal of a license that is issued by the board; or

22 (c) Under investigation by the board.

23 ~~[(17)]~~ (18) Subject to the applicable provisions of ORS chapter 183, to adopt reasonable rules to  
24 carry out the provisions of ORS 675.010 to 675.150.

25 **SECTION 2. Section 3 of this 2007 Act is added to and made a part of ORS 675.010 to**  
26 **675.150.**

27 **SECTION 3. (1) Notwithstanding ORS 675.085, the State Board of Psychologist Examiners**  
28 **may at any time direct and order a licensed psychologist to submit to a psychological,**  
29 **physical or psychiatric assessment or any combination thereof, and the board may make any**  
30 **investigation, including the taking of depositions or otherwise, in order to fully inform itself**  
31 **with respect to the performance or conduct of a licensed psychologist.**

32 **(2) A psychologist licensed by the board shall be deemed to have given consent to submit**  
33 **to psychological, physical or psychiatric assessment when so directed by the board and to**  
34 **have waived all objection to the admissibility of information derived from an assessment or-**  
35 **dered by the board on the grounds of privileged communication.**

36