

Senate Bill 175

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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**.

Revises provisions for psychologist licensing exemptions. Limits exemption from psychologist licensing requirements to 24 months for employees of state and local government agencies, community mental health programs and drug and alcohol treatment programs.

A BILL FOR AN ACT

1
2 Relating to psychologist licensing exemptions; creating new provisions; and amending ORS 675.090.

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

4 **SECTION 1.** ORS 675.090 is amended to read:

5 675.090. (1) ORS 675.010 to 675.150 do not apply to:

6 (a) A person who teaches psychology, conducts psychological research or provides consulting
7 services to an organization or institution provided that the teaching, research or consulting services
8 do not involve the delivery or supervision of direct psychological services to individuals who are
9 themselves, rather than a third party, the beneficiaries of the services, regardless of the source or
10 extent of payment for the services rendered. [*Nothing in ORS 675.010 to 675.150 shall prevent the
11 provision of expert testimony by psychologists who are otherwise exempted by this subsection. A person
12 performing the functions authorized by this paragraph may use the title "psychologist" only if the
13 person holds a doctoral degree in psychology from an approved doctoral program in psychology.*]

14 [(b) A person who is either:]

15 [(A)] (b) A matriculated graduate student **who is** pursuing a graduate degree in professional
16 psychology at an approved doctoral program in psychology[;] **and rendering psychological services
17 as part of the formal requirements of the doctoral program.**

18 [(B)] (c) A [student] **person who is seeking to fulfill the licensure requirements established
19 in ORS 675.010 to 675.150 by** pursuing postdoctoral training or experience in professional psychol-
20 ogy[, including a person seeking to fulfill the licensure requirements established in ORS 675.010 to
21 675.150; or]

22 [(C) A person pursuing certification or licensure or a graduate degree in any of the certified or
23 licensed professions otherwise exempted from ORS 675.010 to 675.150.]

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

28 [(d) A person who is licensed, certified or otherwise authorized by the State of Oregon to render
29 professional services, provided that the services are rendered within the person's lawful scope of prac-
30 tice and that the person does not use the title "psychologist" in connection with the activities authorized

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 *under this paragraph.]*

2 **(e) A federal government employee who is rendering psychological services within the**
 3 **scope of employment with the federal agency.**

4 [(e)] **(f) For 24 months from the date of the person’s initial date of hire by the agency, a**
 5 **person who is employed by a local[,] or state [or federal government] agency[, or].**

6 **(g) For 24 months from the date of the person’s initial date of hire by the agency, a**
 7 **person who is** employed by a community mental health program or drug and alcohol treatment
 8 program licensed or certified by the State of Oregon to the extent that the person’s activities and
 9 services are rendered within the person’s scope of employment and are performed within the con-
 10 fines of the employing agency and provided that the person does not use the title “psychologist” in
 11 connection with the activities authorized under this paragraph.

12 [(f)] **(h) A person who is a recognized member of the clergy, provided that the person is acting**
 13 **in the person’s ministerial capacity and does not use the title “psychologist.”**

14 [(g)] **(i) A person who has credentials as a school psychologist if the person is an employee of**
 15 **an educational institution and restricts the person’s practice to activities within a school setting.**
 16 **A person acting under this paragraph may use the title “school psychologist.”**

17 **(2)(a) A person performing the functions authorized by subsection (1)(a) of this section**
 18 **may use the title “psychologist” only if the person holds a doctoral degree in psychology from**
 19 **an approved doctoral program in psychology.**

20 **(b) Nothing in ORS 675.010 to 675.150 prevents the provision of expert testimony by psy-**
 21 **chologists who are otherwise exempted by subsection (1)(a) of this section.**

22 [(2)] **(3) A person described in subsection (1)(b) or (c) of this section may use the title “psy-**
 23 **chological trainee,” “psychological intern,” “psychologist resident” or “psychologist associate resi-**
 24 **dent” if the person is pursuing the education or training described in subsection (1)(b) or (c) of this**
 25 **section under the supervision and responsibility of a licensed psychologist in accordance with the**
 26 **rules adopted by the State Board of Psychologist Examiners.**

27 [(3)] **(4) Nothing in this section [shall exempt] exempts from ORS 675.010 to 675.150 a person**
 28 **whose license to practice psychology is revoked or suspended [because the person engaged in sexual**
 29 **activity with a client].**

30 **SECTION 2. Except as provided in section 3 of this 2009 Act, the amendments to ORS**
 31 **675.090 by section 1 of this 2009 Act apply to persons practicing psychology on or after the**
 32 **effective date of this 2009 Act.**

33 **SECTION 3. Notwithstanding ORS 675.090 (1)(e) and (f), as amended by section 1 of this**
 34 **2009 Act, and section 2 of this 2009 Act, a person whose initial date of hire by a local or state**
 35 **agency, community mental health program or drug and alcohol treatment program was be-**
 36 **fore the effective date of this 2009 Act is exempt from the psychologist licensing provisions**
 37 **under ORS 675.010 to 675.150 until January 1, 2012.**

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