

Enrolled
House Bill 3668

Sponsored by COMMITTEE ON HUMAN SERVICES

CHAPTER

AN ACT

Relating to persons subject to regulation by the Oregon Board of Licensed Professional Counselors and Therapists; creating new provisions; amending section 13, chapter 549, Oregon Laws 2009; and declaring an emergency.

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

SECTION 1. Section 13, chapter 549, Oregon Laws 2009, is amended to read:

Sec. 13. (1) A person engaged in professional counseling or marriage and family therapy on *[the effective date of this 2009 Act]* **January 1, 2010**, who is not licensed under ORS 675.715 to 675.835 or exempted from the provisions of ORS 675.715 to 675.835 by ORS 675.825 may continue to engage in the practice of professional counseling or marriage and family therapy if the person applies on or before January 1, 2011, for:

- (a) A license to practice professional counseling or marriage and family therapy; or
- (b) A registered internship.

(2) A person may continue to engage in the practice of professional counseling or marriage and family therapy as authorized by subsection (1) of this section until the Oregon Board of Licensed Professional Counselors and Therapists makes a final determination whether to issue a license to the person or to approve the person's request for a registered internship.

(3) Subsection (2) of this section applies to persons who:

- (a) Have received a graduate degree;
- (b) Have not fulfilled the supervised hours or other educational requirements for licensure as a professional counselor or marriage and family therapist; and
- (c) Are otherwise eligible to receive a license or registered internship.

(4)(a) A person practicing professional counseling under this section without a license or registered internship shall provide a written statement to all clients treated by the person that the person is not a licensed professional counselor or registered intern.

(b) A person practicing marriage and family therapy under this section without a license or registered internship shall provide a written statement to all clients treated by the person that the person is not a licensed marriage and family therapist or registered intern.

[(5)(a) A person licensed under ORS 675.715 to 675.835 on the effective date of this 2009 Act may not practice professional counseling or marriage and family therapy unless the person has submitted a written attestation to the board that the person has training and experience in the diagnosis of mental disorders.]

[(b) The board shall randomly audit attestations submitted under paragraph (a) of this subsection.]

SECTION 2. (1) A person licensed under ORS 675.715 to 675.835 on January 1, 2010, may not practice professional counseling or marriage and family therapy after January 1, 2012, unless the person has submitted a written attestation to the Oregon Board of Licensed Professional Counselors and Therapists that the person has training and experience in the diagnosis of mental disorders.

(2) The board shall randomly audit attestations submitted under subsection (1) of this section.

SECTION 3. This 2010 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect on its passage.

Passed by House February 9, 2010

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Chief Clerk of House

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Speaker of House

Passed by Senate February 20, 2010

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President of Senate

Received by Governor:

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Approved:

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Governor

Filed in Office of Secretary of State:

.....M,....., 2010

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Secretary of State