

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

---

<b>Action:</b>	Without Recommendation as to Passage and Be Referred to the Committee on Judiciary by prior reference
<b>Vote:</b>	8 - 0 - 0
<b>Yeas:</b>	Frederick, Greenlick, Harker, Parrish, Thompson, Weidner, Gilliam, Tomei
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Jennifer Kellar, Administrator
<b>Meeting Dates:</b>	2/16, 3/7, 3/9

---

**WHAT THE MEASURE DOES:** Includes professional counselors or marriage and family therapists to the list of health practitioners currently defined in Oregon Revised Statutes which are exempt from punitive damages if the counselor or therapist was acting within the scope of their practice.

**ISSUES DISCUSSED:**

- Necessity of statutory consistency
- Court's concerns relating to dual licensees in determining category of license accountable for action
- Issue with malpractice insurance providers not defending punitive damage claims under current statute
- Discussion regarding potential for unintended consequences by passage of measure
- Confirmation by Legislative Counsel no unintended consequences exist

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** In 2009, legislation was passed to make Licensed Professional Counselors (LPCs) and Licensed Marriage and Family Therapists (LMFTs) core providers of mental health services alongside other licensed mental health professions in Oregon. House Bill 2217 applies equal application of the statutes to the practices of other mental health professions that apply to LPCs and LMFTs.