

A-Engrossed
House Bill 2081

Ordered by the House February 26
Including House Amendments dated February 26

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., 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.

Modifies exemptions to prohibition against practice of psychology or representation as psychologist without license.

A BILL FOR AN ACT

1
2 Relating to psychologist licensure; 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 extent*
10 *of payment for the services rendered.*] **person does not supervise direct psychological services and**
11 **does not treat any behavioral, emotional or mental disorder of an individual.**

12 (b) The provision of expert testimony by a person described in paragraph (a) of this subsection.

13 [(c) A person who is either:]

14 [(A) A matriculated graduate student pursuing a graduate degree in professional psychology at an
15 approved doctoral program in psychology;]

16 [(B) A student pursuing post-doctoral training or experience in professional psychology, including
17 a person seeking to fulfill the licensure requirements established in ORS 675.010 to 675.150; or]

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

20 (c) **A graduate student enrolled in an approved psychology program who is pursuing a**
21 **graduate degree in psychology, provided that the graduate student renders services only for**
22 **academic credit as part of an organized and supervised training program.**

23 (d) **A person pursuing certification, licensure or a graduate degree in any of the certified**
24 **or licensed professions exempted from ORS 675.010 to 675.150.**

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

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 [(e) A person who is licensed, certified or otherwise authorized by the State of Oregon to render
2 professional services, provided that the services are rendered within the person's lawful scope of prac-
3 tice and that the person does not use the title "psychologist" in connection with the activities authorized
4 under this paragraph.]

5 (f) A person who is employed by a local, state or federal government agency, or employed by a
6 community mental health program or drug and alcohol treatment program licensed or certified by
7 the State of Oregon, to the extent that the person's activities and services are rendered within the
8 person's scope of employment and are performed within the confines of the employing agency and
9 provided that the person does not use the title "psychologist" in connection with the activities au-
10 thORIZED under this paragraph.

11 (g) A person who is a recognized member of the clergy, provided that the person is acting in the
12 person's ministerial capacity and does not use the title "psychologist."

13 (h) A person who has credentials as a school psychologist [if], **provided that** the person is an
14 employee of an educational institution and [restricts the person's practice to activities] **practices only**
15 within a school setting. A person acting under this paragraph may use the title "school
16 psychologist."

17 (2)(a) Notwithstanding subsection (1)(f) of this section, a person with a doctoral degree in psy-
18 chology who is employed by and practicing psychology at a local, state or federal government
19 agency or a community mental health program or drug and alcohol treatment program licensed or
20 certified by the State of Oregon may practice psychology without a license under ORS 675.010 to
21 675.150 for no more than 24 months after the person begins practicing psychology at the agency or
22 program.

23 (b) Before the person obtains a license under ORS 675.010 to 675.150:

24 (A) The person may practice psychology only within the scope of the person's employment and
25 within the confines of the employing agency or program; and

26 (B) The person may not use the title "psychologist."

27 (3) A person performing the functions described in subsection (1)(a) and (b) of this section may
28 use the title "psychologist" only if the person holds a doctoral degree in psychology from an ap-
29 proved doctoral program in psychology.

30 (4) A person described in subsection (1)(c) of this section may use the title [*psychological*
31 *trainee,* "*psychological intern,*" "*psychologist resident*" or "*psychologist associate resident*" if the per-
32 son is pursuing the education or training] "**psychological intern**" or "**psychological trainee,**"
33 **provided that the training program** described in subsection (1)(c) of this section **is** under the
34 supervision and responsibility of a licensed psychologist in accordance with [*the*] rules adopted by
35 the State Board of Psychologist Examiners.

36 (5) Nothing in this section exempts from ORS 675.010 to 675.150 a person whose license to
37 practice psychology is revoked or suspended because the person engaged in sexual activity with a
38 client.

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