



# Oregon

Kate Brown, Governor

Mental Health Regulatory Agency

Board of Psychology

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Mr. Chair and Members of the House Committee on Behavioral Health:

I am the current Chair of the Oregon Board of Psychology (OBOP). Prior to this appointment, I helped the OBOP create a written jurisprudence exam, and served as liaison from the state professional association. I have a long history of professional leadership in psychology, and have also been appointed to the Psychiatric Security Review Board for a period of 12 years.

I am testifying in support of HB 4031, Section 1 only. The Board is neutral on all other sections.

The OBOP actions are constrained by statute and rule. Investigations of unlicensed practice are a minority of the Boards work, and triggered mostly by complaints submitted to the Board by members of the public. One variation of this is complaints that have been forwarded to the Board of Psychology by the Board of Licensed Professional Counselors and Therapists. This occurred twice in 2017 and once in 2019.

The OBOP does have jurisdiction when an individual claims to be a psychologist when they are not, or when they claim to be diagnosing and treating mental disorders without a license allowing them to do so. The OBOP has no jurisdiction outside of these constraints. Life coaches, hypnotherapists, and parent trainers are outside our jurisdiction; their jobs are not threatened by eliminating ORS 675.825(4). But the counselor education exemption as now written allows anyone, even untrained and uneducated practitioners, to diagnosis, assess, and treat mental disorders. There is no factual estimate of the number of unlicensed providers, but guestimates have been in the range of 6,000 individuals. It creates a public safety issue.

These practitioners are causing real harm to unsuspecting clients. The vast majority of the public are unable to distinguish among the licensed mental health professionals including psychologists, psychiatrists, social workers, and counselors / therapists. They are even less able to judge the competence and safety of alternative providers. It is for this reason that just-right regulation by the various licensing boards does protect the public. Significant harm to even one client is too high a price to pay for a loophole in any Board's jurisdiction.

A registry for alternative practitioners is an interesting concept, but is outside of the Board's purview and not at issue in HB 4031 as it currently stands. To be sure, regulation of alternative practitioners would require a new statutory scheme, distinct and apart from closing the exemption loophole in the Board of Licensed Professional Counselors and Therapists' Practice Act.

I support Section 1 of HB 4031 and urge the Committee to eliminate the education exemption loophole with its passage. However, I am very amenable to participating in work sessions

designed to provide a forum for a larger conversation and find a viable solution to the problem  
HB 4031 is intended to address.

Thank you for your consideration.

A handwritten signature in black ink that reads "Cliff Johannsen Ph.D." in a cursive style.

Cliff Johannsen, Ph.D.  
Chair, Board of Psychology