

House Bill 2116

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Mental Health Regulatory Agency)

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**.

Authorizes Oregon Board of Licensed Professional Counselors and Therapists to order mental health, medical condition or chemical dependency evaluations of applicants, licensees and registered interns.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to Oregon Board of Licensed Professional Counselors and Therapists fitness evaluations;
3 and prescribing an effective date.

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

5 **SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS 675.715 to**
6 **675.835.**

7 **SECTION 2. (1) If the Oregon Board of Licensed Professional Counselors and Therapists**
8 **has reasonable cause to believe that an applicant, licensee or registered intern is unable to**
9 **practice professional counseling or marriage and family therapy with reasonable skill and**
10 **client safety, the board may order the applicant, licensee or registered intern to submit to**
11 **a mental health, medical condition or chemical dependency evaluation to determine the fit-**
12 **ness of the applicant, licensee or registered intern to practice professional counseling or**
13 **marriage and family therapy.**

14 **(2) A licensee or registered intern, by practicing professional counseling or marriage and**
15 **family therapy, or an applicant by applying to practice professional counseling or marriage**
16 **and family therapy in Oregon, gives consent to submit to mental health, medical condition**
17 **or chemical dependency evaluations when ordered by the board and waives any objection on**
18 **the grounds of privileged communication to the admissibility of information derived from**
19 **evaluations ordered by the board.**

20 **(3) The board may request any medical or mental health organization to assist the board**
21 **in preparing for or conducting any evaluation described in this section that the board con-**
22 **siders appropriate.**

23 **SECTION 3. (1) Section 2 of this 2021 Act becomes operative on January 1, 2022.**

24 **(2) The Oregon Board of Licensed Professional Counselors and Therapists may take any**
25 **action before the operative date specified in subsection (1) of this section that is necessary**
26 **to enable the board to exercise, on and after the operative date specified in subsection (1)**
27 **of this section, all of the duties, functions and powers conferred on the board by section 2**
28 **of this 2021 Act.**

29 **SECTION 4. This 2021 Act takes effect on the 91st day after the date on which the 2021**
30 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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.

