

House Bill 2117

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**.

Repeals Oregon Board of Psychology authority to issue initial psychologist associate licenses. Specifies functions that currently licensed psychologist associate may perform. Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to psychologist associates; creating new provisions; amending ORS 675.850; repealing ORS
3 675.065; 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 675.010 to**
6 **675.150.**

7 **SECTION 2. (1) A psychologist associate licensed by the Oregon Board of Psychology**
8 **before the operative date specified in section 6 of this 2021 Act may perform specific func-**
9 **tions within the practice of psychology if the psychologist associate is under the periodic di-**
10 **rect supervision of a psychologist licensed by the board. The functions may include, but are**
11 **not limited to:**

12 (a) **Administering tests of mental abilities; and**

13 (b) **Conducting personality assessments and counseling, including educational and voca-**
14 **tional planning.**

15 (2) **Upon a petition by a psychologist associate, the board may grant to the psychologist**
16 **associate the authority to perform the functions specified under subsection (1) of this section**
17 **without periodic direct supervision.**

18 (3) **The board may adopt rules to carry out this section.**

19 **SECTION 3. ORS 675.850 is amended to read:**

20 675.850. (1) A mental health care or social health professional may not practice conversion
21 therapy if the recipient of the conversion therapy is under 18 years of age.

22 (2) As used in this section:

23 (a)(A) "Conversion therapy" means providing professional services for the purpose of attempting
24 to change a person's sexual orientation or gender identity, including attempting to change behaviors
25 or expressions of self or to reduce sexual or romantic attractions or feelings toward individuals of
26 the same gender.

27 (B) "Conversion therapy" does not mean:

28 (i) Counseling that assists a client who is seeking to undergo a gender transition or who is in
29 the process of undergoing a gender transition; or

30 (ii) Counseling that provides a client with acceptance, support and understanding, or counseling

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 that facilitates a client’s coping, social support and identity exploration or development, including
 2 counseling in the form of sexual orientation-neutral or gender identity-neutral interventions provided
 3 for the purpose of preventing or addressing unlawful conduct or unsafe sexual practices, as long as
 4 the counseling is not provided for the purpose of attempting to change the client’s sexual orientation
 5 or gender identity.

6 (b)(A) “Mental health care or social health professional” means:

7 (i) A licensed psychologist as defined in ORS 675.010;

8 (ii) A psychologist associate licensed [*under ORS 675.065*] **by the Oregon Board of Psychology**
 9 **before the operative date specified in section 6 of this 2021 Act;**

10 (iii) An occupational therapist or occupational therapy assistant both as defined in ORS 675.210;

11 (iv) A regulated social worker as defined in ORS 675.510;

12 (v) A licensed marriage and family therapist or licensed professional counselor both as defined
 13 in ORS 675.705; and

14 (vi) An individual who provides counseling as part of an educational or training program nec-
 15 essary to practice any of the professions described in sub-subparagraphs (i) to (v) of this subpara-
 16 graph.

17 (B) “Mental health care or social health professional” includes any individual not described in
 18 this paragraph who is licensed in this state and whose license authorizes the individual to provide
 19 mental health care or social health counseling services.

20 (3) Any state board that regulates licensees described in subsection (2)(b)(B) of this section may
 21 impose any form of discipline that the board may impose on a licensee under the laws of this state
 22 for violating a law of this state or a rule adopted by the board.

23 **SECTION 4. The Oregon Board of Psychology shall continue to regulate persons who**
 24 **were licensed by the board as psychologist associates before the operative date specified in**
 25 **section 6 of this 2021 Act.**

26 **SECTION 5. ORS 675.065 is repealed.**

27 **SECTION 6. (1) Section 2 of this 2021 Act, the amendments to ORS 675.850 by section 3**
 28 **of this 2021 Act and the repeal of ORS 675.065 by section 5 of this 2021 Act become operative**
 29 **on January 1, 2022.**

30 **(2) The Oregon Board of Psychology may take any action before the operative date**
 31 **specified in subsection (1) of this section that is necessary to enable the board to exercise,**
 32 **on and after the operative date specified in subsection (1) of this section, the duties, func-**
 33 **tions and powers conferred on the board by section 2 of this 2021 Act, the amendments to**
 34 **ORS 675.850 by section 3 of this 2021 Act and the repeal of ORS 675.065 by section 5 of this**
 35 **2021 Act.**

36 **SECTION 7. This 2021 Act takes effect on the 91st day after the date on which the 2021**
 37 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**