

House Bill 4083

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Tina Kotek for Office of the Governor)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes OHA create a portal to vet a behavioral health care provider. The Act also lets some BH care providers supervise other BH care providers who have different licenses. The Act tells the MHRA to oversee and help run the BLSW. (Flesch Readability Score: 61.6).

Requires the Oregon Health Authority to, no later than June 30, 2027, adopt a uniform process for credentialing organizational behavioral health providers and establish a centralized portal for processing applications. Prohibits a coordinated care organization from requiring a behavioral health provider to comply with any additional credentialing procedures.

Requires the authority to minimize unnecessary administrative burden for individual and organizational behavioral health providers who serve medical assistance recipients and to report biennially to the Governor and the Legislative Assembly.

Allows certain licensed behavioral health care providers to provide supervision for other behavioral health care providers who hold different license types.

Provides that the Mental Health Regulatory Agency will provide administrative and regulatory oversight and centralized service for the State Board of Licensed Social Workers.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to behavioral health care providers; creating new provisions; amending ORS 675.030, 675.110, 675.166, 675.178, 675.595, 675.597 and 675.785; and prescribing an effective date.

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

CREDENTIALING AND ADMINISTRATION

SECTION 1. (1) As used in this section:

(a) "Coordinated care organization" has the meaning given that term in ORS 414.025.

(b) "Organizational provider" has the meaning given that term in ORS 430.637.

(2) The Oregon Health Authority shall:

(a) Adopt by rule a uniform process for credentialing organizational providers; and

(b) Establish a centralized portal for processing credentialing applications.

(3) A coordinated care organization:

(a) Shall use the centralized portal established by the authority for credentialing organizational providers; and

(b) May not require an organizational provider to comply with any credentialing procedures other than the uniform process adopted by the authority under this section.

SECTION 2. The Oregon Health Authority shall establish a centralized credentialing portal and complete rulemaking required under section 1 of this 2026 Act no later than June 30, 2027.

SECTION 3. (1) As used in this section:

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.

(a) "Behavioral health provider" includes:

(A) An individual who is licensed, certified or otherwise authorized to provide behavioral health care services in this state; and

(B) An organizational provider, as defined in ORS 430.637.

(b) "Medical assistance" has the meaning given that term in ORS 414.025.

(2) The Oregon Health Authority shall minimize unnecessary administrative burden for behavioral health providers who serve medical assistance recipients.

(3) In carrying out this section, the authority shall:

(a) Solicit suggestions from behavioral health providers; and

(b) Seek any necessary approval from the Centers for Medicare and Medicaid Services.

(4) Each biennium, the authority shall report to the Governor and the committees of the Legislative Assembly related to behavioral health in the manner provided in ORS 192.245. The report shall identify:

(a) The efforts that the authority has made to solicit suggestions from behavioral health providers;

(b) Any suggestions from behavioral health providers that the authority has implemented; and

(c) The status of any request for approval from the Centers for Medicare and Medicaid Services.

SUPERVISION OF BEHAVIORAL HEALTH CARE PROVIDERS

SECTION 4. Section 5 of this 2026 Act is added to and made a part of ORS 675.510 to 675.600.

SECTION 5. (1) The State Board of Licensed Social Workers shall adopt rules to allow, in addition to those individuals regulated by the board, at least the following individuals to provide the supervision required for the issuance of an authorization to practice regulated social work:

(a) A licensed psychologist, as defined in ORS 675.010;

(b) A licensed marriage and family therapist, as defined in ORS 675.705; and

(c) A licensed professional counselor, as defined in ORS 675.705.

(2) In adopting rules under this section, the board may consult as necessary with the Oregon Board of Psychology and the Oregon Board of Licensed Professional Counselors and Therapists. If the rules adopted under this section allow for supervision by individuals regulated by another health professional regulatory board, the State Board of Licensed Social Workers may consult with other health professional regulatory boards as necessary.

SECTION 6. Section 7 of this 2026 Act is added to and made a part of ORS 675.715 to 675.835.

SECTION 7. (1) The Oregon Board of Licensed Professional Counselors and Therapists shall adopt rules to allow, in addition to those individuals regulated by the board, at least the following individuals to provide the supervision required for the issuance of a license or registration to practice marriage and family therapy or professional counseling:

(a) A licensed psychologist, as defined in ORS 675.010; and

(b) A clinical social worker licensed under ORS 675.530.

(2) In adopting rules under this section, the board may consult as necessary with the

Oregon Board of Psychology and the State Board of Licensed Social Workers. If the rules adopted under this section allow for supervision by individuals regulated by another health professional regulatory board, the Oregon Board of Licensed Professional Counselors and Therapists may consult with other health professional regulatory boards as necessary.

SECTION 8. ORS 675.030 is amended to read:

675.030. (1) Upon application for licensure accompanied by the established fee, the Oregon Board of Psychology shall issue a psychologist license to an applicant who performs to the satisfaction of the board in examinations prescribed by the board and furnishes evidence satisfactory to the board that the applicant:

(a) Has complied with all applicable provisions of ORS 675.010 to 675.150 and the applicable rules of the board;

(b) Holds a doctoral degree in psychology from an approved doctoral program in psychology;

(c) Has satisfactorily completed courses and training required by the board;

(d) Has had two years of supervised employment in the field of psychology:

(A) Under the direction of a psychologist licensed in Oregon or under the direction of a person considered by the board to have equivalent supervisory competence; or

(B) In the military; and

(e) Is of good moral character. For purposes of this section, the lack of good moral character may be established by reference to acts or conduct that reflect moral turpitude or to acts or conduct that would cause a reasonable person to have substantial doubts about the individual's honesty, fairness and respect for the rights of others and for the laws of the state and the nation. The conduct or acts in question must be rationally connected to the applicant's fitness to practice psychology.

(2) The board shall adopt rules by which a person receiving post-doctoral supervision during the application process may enter into a contract to practice psychology under the supervision of a licensed psychologist, psychologist associate or a person considered by the board to have equivalent supervisory competence. An applicant who enters such a contract shall be designated as a psychologist resident or a psychologist associate resident, accordingly, and shall be subject to ORS 675.010 to 675.150.

(3)(a) In establishing by rule a list of persons who are considered by the board to have equivalent supervisory competence for purposes of this section, the board shall include persons who are clinical social workers licensed under ORS 675.530, licensed marriage and family therapists, as defined in ORS 675.705, and licensed professional counselors, as defined in ORS 675.705.

(b) In adopting rules under this section, the board may consult as necessary with the Oregon Board of Licensed Professional Counselors and Therapists and the State Board of Licensed Social Workers. If the rules adopted under this section allow for supervision by individuals regulated by another health professional regulatory board, the Oregon Board of Psychology may consult with other health professional regulatory boards as necessary.

SECTION 9. (1) Sections 5 and 7 of this 2026 Act and the amendments to ORS 675.030 by section 8 of this 2026 Act become operative on January 1, 2027.

(2) The Oregon Board of Psychology, the Oregon Board of Licensed Professional Counselors and Therapists and the State Board of Licensed Social Workers may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the boards to exercise, on and after the operative date specified in subsection (1) of this

1 **section, all of the duties, functions and powers conferred on the boards by sections 5 and 7**
2 **of this 2026 Act and the amendments to ORS 675.030 by section 8 of this 2026 Act.**

3
4 **MENTAL HEALTH REGULATORY AGENCY**

5
6 **SECTION 10.** ORS 675.110 is amended to read:

7 675.110. In addition to the powers otherwise granted under ORS 675.010 to 675.150, the Oregon
8 Board of Psychology has all powers necessary or proper to:

9 (1) Determine qualifications of applicants to practice psychology in this state, prepare, conduct
10 and grade examinations and license qualified applicants who comply with the provisions of ORS
11 675.010 to 675.150 and the rules of the board.

12 (2) Grant or deny renewal of licenses and renew licenses that have lapsed for nonpayment of the
13 renewal fee, subject to the provisions of ORS 675.010 to 675.150.

14 (3) Suspend or revoke licenses, subject to ORS 675.010 to 675.150.

15 (4) Issue letters of reprimand and impose probationary periods with the authority to restrict the
16 scope of practice of a licensed psychologist or to require practice under supervision.

17 (5) Impose civil penalties as provided in ORS 675.070.

18 (6) Restore licenses that have been suspended or revoked or voided by nonpayment of the re-
19 newal fee.

20 (7) Collect fees for application, examination and licensing of applicants, for renewal of licenses
21 and for issuance of limited permits and use the fees to defray the expenses of the board as provided
22 in ORS 675.140.

23 (8) Collect a delinquent renewal fee for licenses renewed after the deadline for renewal but be-
24 fore the grace period for renewal has expired.

25 (9) Investigate alleged violations of ORS 675.010 to 675.150.

26 (10) Issue subpoenas for the attendance of witnesses, take testimony, administer oaths or affir-
27 mations to witnesses, conduct hearings and require the production of relevant documents in all
28 proceedings pertaining to the duties and powers of the board.

29 (11) Enforce ORS 675.010 to 675.150 and exercise general supervision over the practice of psy-
30 chology in this state.

31 (12) Adopt a common seal.

32 (13) Formulate a code of professional conduct for the practice of psychology giving particular
33 consideration to the Ethical Standards of Psychologists promulgated by the American Psychological
34 Association.

35 (14) Establish standards of service and training and educational qualifications for rendering
36 ethical psychological services in this state, including the formulation of standards for the issuance
37 of licenses for areas of special competence.

38 (15) Formulate and enforce continuing education requirements for duly licensed psychologists
39 to ensure the highest quality of professional services to the public.

40 (16) Deny renewal of a license, or renewal of a license that has lapsed for nonpayment of the
41 renewal fee, unless the applicant completes, or provides documentation of completion within the
42 previous 36 months of:

43 (a) A one-hour pain management education program approved by the board and developed based
44 on recommendations of the Pain Management Commission; or

45 (b) An equivalent pain management education program, as determined by the board.

(17) Assess costs associated with a disciplinary action to the person against whom the board takes the disciplinary action, as follows:

(a) For total costs of \$3,000 or less, the board may not assess any costs.

(b) For total costs greater than \$3,000 but not greater than \$6,000, the board may assess up to 50 percent of the total costs.

(c) For total costs greater than \$6,000, the board may assess up to 100 percent of the total costs.

(18) For the purpose of requesting a state or nationwide criminal records check under ORS 181A.195, require the fingerprints of a person who is:

(a) Applying for a license issued by the board;

(b) Applying for renewal of a license issued by the board; or

(c) Under investigation by the board.

(19) Prescribe, in consultation with the Oregon Board of Licensed Professional Counselors and Therapists **and the State Board of Licensed Social Workers**, the duties of the Director of the Mental Health Regulatory Agency.

(20) Subject to the applicable provisions of ORS chapter 183, adopt reasonable rules to carry out the provisions of ORS 675.010 to 675.150.

SECTION 11. ORS 675.166 is amended to read:

675.166. The Mental Health Regulatory Agency shall provide administrative and regulatory oversight and centralized service for:

(1) The Oregon Board of Licensed Professional Counselors and Therapists, as provided in ORS 675.715 to 675.835; *[and]*

(2) The Oregon Board of Psychology, as provided in ORS 675.010 to 675.150[.]; **and**

(3) The State Board of Licensed Social Workers, as provided in ORS 675.510 to 675.600.

SECTION 12. ORS 675.178 is amended to read:

675.178. (1) The Mental Health Regulatory Agency is under the supervision and control of the Director of the Mental Health Regulatory Agency, who is responsible for the performance of the duties, functions and powers and for the organization of the agency.

(2) The regulated boards shall jointly appoint the director, who shall serve at the direction of the boards. If the boards cannot agree on a director, the Governor shall appoint a director from individuals suggested by each board, and the Governor's decision is final.

(3) The director is authorized to carry out the provisions of:

(a) ORS 675.010 to 675.150 as prescribed by the Oregon Board of Psychology; *[and]*

(b) ORS 675.715 to 675.835 as prescribed by the Oregon Board of Licensed Professional Counselors and Therapists[.]; **and**

(c) ORS 675.510 to 675.600 as prescribed by the State Board of Licensed Social Workers.

(4) The director may appoint officers and hire employees as necessary to assist the director in fulfilling the duties, functions and powers conferred on the director by this section.

(5) The director may prescribe the duties and fix the compensation of officers appointed by the director and employees hired by the director.

(6) The director has all the powers necessary for the director to fulfill the director's duties as prescribed by the regulated boards under subsection (3) of this section.

SECTION 13. ORS 675.595 is amended to read:

675.595. In addition to the powers otherwise granted under ORS 675.510 to 675.600, the State Board of Licensed Social Workers *[shall have the following powers]* **has all the powers necessary or proper to:**

(1) [To] Determine the qualifications of applicants to practice social work in this state.

(2) [To cause to have examinations prepared, conducted and graded] **Prepare, conduct and grade examinations.**

(3) [To] Grant authorizations to practice regulated social work to qualified applicants upon their compliance with the provisions of ORS 675.510 to 675.600 and the rules of the board.

(4) [To] Grant or deny renewal of authorizations to practice regulated social work.

(5) [To] Suspend or revoke authorizations to practice regulated social work.

(6) [To] Issue letters of reprimand.

(7) [To] Impose probationary periods with the authority to restrict the scope of practice of a regulated social worker.

(8) [To] Require that a regulated social worker:

(a) Practice under supervision;

(b) Obtain additional training in social work; or

(c) Undergo psychological, physical or psychiatric assessment, enter into and remain in any prescribed treatment program and disclose the results of the treatment program to the board.

(9) [To] Impose civil penalties as provided in ORS 675.540.

(10) [To] Restore authorizations to practice regulated social work that have been suspended, revoked or voided by nonpayment of the renewal fee.

(11) [To] Collect fees for application, examination and reexamination of applicants for initial authorizations to practice regulated social work as provided in ORS 675.571.

(12) [To] Collect fees for renewal of authorizations to practice regulated social work as provided in ORS 675.571.

(13) [To] Collect delinquent renewal fees as provided in ORS 675.571 (4).

(14) [To] Investigate alleged violations of ORS 675.510 to 675.600.

(15) [To] Issue subpoenas for the attendance of witnesses, take testimony, administer oaths or affirmations to witnesses, conduct hearings and require the production of relevant documents in all proceedings pertaining to the duties and powers of the board.

(16) [To] Enforce ORS 675.510 to 675.600 and exercise general supervision over the practice of social work in this state.

(17) [To] Adopt a common seal.

(18) [To] Formulate and enforce a code of professional conduct for the practice of social work giving particular consideration to the code of ethics.

(19) [To] Formulate and enforce continuing education requirements for regulated social workers to ensure the highest quality of professional services to the public.

(20) [To] Take *[such]* **any** other disciplinary action *[as]* **that** the board in its discretion finds proper, including but not limited to assessment of the costs of the disciplinary process.

(21) For the purpose of requesting a state or nationwide criminal records check under ORS 181A.195, *[to]* require the fingerprints of a person who is:

(a) Applying for an authorization to practice regulated social work;

(b) Applying for renewal of an authorization to practice regulated social work; or

(c) Under investigation by the board.

(22) Prescribe, in consultation with the Oregon Board of Licensed Professional Counselors and Therapists and the Oregon Board of Psychology, the duties of the Director of the Mental Health Regulatory Agency.

SECTION 14. ORS 675.597 is amended to read:

1 675.597. The State Board of Licensed Social Workers Account is established in the State
2 Treasury, separate and distinct from the General Fund. Interest earned by the State Board of Li-
3 censed Social Workers Account shall be credited to the account. Moneys in the account are con-
4 tinuously appropriated to the board for the administration and enforcement of ORS **675.172**, 675.510
5 to 675.600, 676.850 and 676.866.

6 **SECTION 15.** ORS 675.785 is amended to read:

7 675.785. The Oregon Board of Licensed Professional Counselors and Therapists has the following
8 powers and duties:

9 (1) In accordance with the applicable provisions of ORS chapter 183, the board shall adopt rules
10 necessary for the administration of the laws the board is charged with administering.

11 (2) Subject to applicable provisions of the State Personnel Relations Law, the board may ap-
12 point, prescribe the duties and fix the compensation of employees of the board necessary to carry
13 out the duties of the board.

14 (3)(a) The board may impose nonrefundable fees in an amount set by rule for the following:

15 (A) License application.

16 (B) First issuance of a license.

17 (C) Renewal of a license.

18 (D) Late filing of a license renewal.

19 (E) Renewal of registration as an associate.

20 (F) Examinations. Examination fees may not exceed the costs incurred in administering the
21 particular examination.

22 (G) Limited permits.

23 (b) Fees established under this subsection are subject to prior approval of the Oregon Depart-
24 ment of Administrative Services and must be within the budget authorized by the Legislative As-
25 sembly as that budget may be modified by the Emergency Board.

26 (4) The Oregon Board of Licensed Professional Counselors and Therapists shall:

27 (a) Maintain a register of all current licensed professional counselors and marriage and family
28 therapists.

29 (b) Annually publish a directory listing all current licensed professional counselors and marriage
30 and family therapists. The directory must be available to the public, and the board may collect a
31 publication fee for the directory.

32 (5) The board shall:

33 (a) Investigate alleged violations of the provisions of ORS 675.715 to 675.835 or rules adopted
34 under authority of the board.

35 (b) Establish procedures to review the complaints of clients of licensees of the board. Upon re-
36 ceipt of a complaint under ORS 675.715 to 675.835 against a licensed or unlicensed person, the board
37 shall conduct an investigation as described under ORS 676.165.

38 (6) The board shall report to the Legislative Assembly concerning the activities of the board
39 during the preceding biennium.

40 (7) The board shall form standards committees to establish, examine and pass on the qualifica-
41 tions of applicants to practice professional counseling or marriage and family therapy in this state,
42 including standards and requirements for continuing education and supervision, as appropriate. The
43 standards committee for professional counselors shall be made up of the professional counselors on
44 the board, the faculty member and the public member. The standards committee for marriage and
45 family therapists shall be made up of the marriage and family members of the board, the faculty

1 member and the public member.

2 (8) The board shall grant licenses to applicants who qualify to practice professional counseling
3 or marriage and family therapy in this state upon compliance with ORS 675.715 to 675.835 and the
4 rules of the board.

5 (9) The board may administer oaths, take depositions, defray legal expenses and issue subpoenas
6 to compel the attendance of witnesses and the production of documents or written information nec-
7 essary to carry out ORS 675.715 to 675.835.

8 (10) The board may adopt a seal to be affixed to all licenses.

9 (11) The board shall adopt a code of ethics for licensees. The board may use the ethical codes
10 of professional counseling and marriage and family therapy associations as models for the code es-
11 tablished by the board.

12 (12) The board may set academic and training standards necessary under ORS 675.715 to 675.835,
13 including, but not limited to, the adoption of rules to establish semester hour equivalents for quali-
14 fication for licensing where quarter hours are required under ORS 675.715 to 675.835.

15 (13) The board shall require the applicant for a professional counselor license or a marriage and
16 family therapy license to receive a passing score on an examination of competency in counseling
17 or marriage and family therapy. The examination may be the examination given nationally to certify
18 counselors, or in the case of marriage and family therapy, the examination approved by the Associ-
19 ation of Marital and Family Therapy Regulatory Boards.

20 (14) For the purpose of requesting a state or nationwide criminal records check under ORS
21 181A.195, the board may require the fingerprints of a person who is:

22 (a) Applying for a license that is issued by the board;

23 (b) Applying for renewal of a license that is issued by the board; or

24 (c) Under investigation by the board.

25 (15) The board shall prescribe, in consultation with the Oregon Board of Psychology **and the**
26 **State Board of Licensed Social Workers**, the duties of the Director of the Mental Health Regu-
27 latory Agency.

28 **SECTION 16. (1) On the operative date of this section, the tenure of any director or other**
29 **administrator who provides administrative oversight for the State Board of Licensed Social**
30 **Workers ceases.**

31 **(2) All of the duties, functions and powers of any directors or other administrators of the**
32 **board are imposed upon, transferred to and vested in the Director of the Mental Health**
33 **Regulatory Agency.**

34 **SECTION 17. (1) A director or other administrator of the State Board of Licensed Social**
35 **Workers whose tenure ceases under section 16 of this 2026 Act shall:**

36 **(a) Deliver to the Director of the Mental Health Regulatory Agency all records and**
37 **property, within the jurisdiction of a director or other administrator whose tenure ceases**
38 **under section 16 of this 2026 Act, that related to the duties, functions and powers transferred**
39 **by section 16 of this 2026 Act; and**

40 **(b) Transfer to the Director of the Mental Health Regulatory Agency those employees**
41 **engaged primarily in the exercise of the duties, functions and powers transferred by section**
42 **16 of this 2026 Act.**

43 **(2) The Director of the Mental Health Regulatory Agency shall take possession of the**
44 **records and property, and shall take charge of the employees and employ them in the exer-**
45 **cise of the duties, functions and powers transferred by section 16 of this 2026 Act, without**

1 reduction of compensation but subject to change or termination of employment or compen-
 2 sation as provided by law.

3 **SECTION 18.** (1) Nothing in the amendments to ORS 675.110, 675.166, 675.178, 675.595,
 4 675.597 and 675.785 by sections 10 to 15 of this 2026 Act relieves a person of a liability, duty
 5 or obligation accruing under or with respect to the duties, functions and powers transferred
 6 by section 16 of this 2026 Act. The Director of the Mental Health Regulatory Agency may
 7 undertake the collection or enforcement of any liability, duty or obligation accruing under
 8 or with respect to the duties, functions and powers transferred by section 16 of this 2026 Act.

9 (2) The rights and obligations of a director or other administrator who provides admin-
 10 istrative oversight for the State Board of Licensed Social Workers legally incurred under
 11 contracts, leases and business transactions executed, entered into or begun before the op-
 12 erative date specified in section 19 of this 2026 Act are transferred to the Director of the
 13 Mental Health Regulatory Agency. For the purpose of succession to these rights and obli-
 14 gations, the new director is not a new authority.

15 **SECTION 19.** (1) Sections 16 to 18 of this 2026 Act and the amendments to ORS 675.110,
 16 675.166, 675.178, 675.595, 675.597 and 675.785 by sections 10 to 15 of this 2026 Act become op-
 17 erative on June 30, 2027.

18 (2) The Mental Health Regulatory Agency and the State Board of Licensed Social Work-
 19 ers may take any action before the operative date specified in subsection (1) of this section
 20 that is necessary to enable the agency and the board to exercise, on and after the operative
 21 date specified in subsection (1) of this section, all of the duties, functions and powers con-
 22 ferred on the agency and the board by sections 16 to 18 of this 2026 Act and the amendments
 23 to ORS 675.110, 675.166, 675.178, 675.595, 675.597 and 675.785 by sections 10 to 15 of this 2026
 24 Act.

25 CAPTIONS

26 **SECTION 20.** The unit captions used in this 2026 Act are provided only for the conven-
 27 ience of the reader and do not become part of the statutory law of this state or express any
 28 legislative intent in the enactment of this 2026 Act.

31 EFFECTIVE DATE

32 **SECTION 21.** This 2026 Act takes effect on the 91st day after the date on which the 2026
 33 regular session of the Eighty-third Legislative Assembly adjourns sine die.
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