

Secretary of State
NOTICE OF PROPOSED RULEMAKING
A Statement of Need and Fiscal Impact accompanies this form.

BOARD OF PSYCHOLOGIST EXAMINERS	858
Agency	Administrative Rules Chapter Number
Debra Orman McHugh	3218 Pringle Road SE, Ste 130; Salem, OR 97302
Rules Coordinator	Address
	503-378-4154
	Telephone

RULE CAPTION

Rule corrections and updates; doctoral program accreditation requirement; equivalency of foreign degrees
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

AMEND: 858-010-0007, 858-010-0010, 858-010-0015, 858-010-0036, 858-010-0039

Stat. Auth.: ORS 675.010 - 675.150

Other Auth.:

Stats. Implemented: ORS 675.110(17)

RULE SUMMARY

Removes regional accreditation for doctoral degree program as a qualification for psychologist licensure and replaces with doctoral degree program equivalent to American Psychological Association accreditation as a qualification for a psychologist licensure; adds foreign degree equivalency determination by Board approved credentialing body as a qualification for psychologist licensure; other minor housekeeping items.

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

1/22/2011 by close of business.

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)

// Debra Orman McHugh	Debra Orman McHugh	12/15/2010
Signature	Printed name	Date

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

BOARD OF PSYCHOLOGIST EXAMINERS

858

Agency

Administrative Rules Chapter Number

In the Matter of: The amendment of 858-010-0007, 858-010-0010, 858-010-0015, 858-010-0036, and 858-010-0039.

Rule Caption: Rule corrections and updates; doctoral program accreditation requirement; equivalency of foreign degrees

Statutory Authority: ORS 675.010 - 675.150

Other Authority:

Stats. Implemented: ORS 675.110(17)

Need for the Rule(s): The Board determined that doctoral degree program requirements required modification in order to ensure competence of psychologist applicants to practice psychology in this state. The proposed rule removes regional accreditation for doctoral degree program as a qualification for psychologist licensure and replaces with doctoral degree program equivalent to American Psychological Association accreditation as a qualification for a psychologist licensure. It adds requirements for foreign degree holders. Also, the proposed rule makes minor housekeeping revisions.

Documents Relied Upon, and where they are available: (none)

Fiscal and Economic Impact, including Statement of Cost of Compliance: Changes have minimal or no fiscal impact.

How were small businesses involved in the development of this rule?
Small businesses were not involved in the development of this rule.

Administrative Rule Advisory Committee consulted?: No.

If not, why?: These amendments are mainly housekeeping in purpose, uncomplicated in nature, and have negligible projected fiscal impact on stakeholders. The Board did not determine that an advisory committee would be of assistance in rule development.

// Debra Orman McHugh

Debra Orman McHugh

12/15/2010

Signature

Printed name

Date

BOARD OF PSYCHOLOGIST EXAMINERS

DIVISION 10

PROCEDURAL RULES

858-010-0001

Definitions

The practice of psychology is defined to include:

- (1) Evaluation: assessing or diagnosing mental disorders or mental functioning, including administering, scoring, and interpreting tests of mental abilities or personality;
- (2) Therapy: treating mental disorders;
- (3) Consultation: conferring or giving expert advice on the diagnosis or treatment of mental disorders;
- (4) Supervision: overseeing a professional's work on the diagnosis or treatment of mental disorders.

Stat. Auth.: ORS 675.010 - 675.150

Stats. Implemented: ORS 675.110

Hist.: BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10

858-010-0002

Guidelines for Supervising Technicians

A licensee may delegate administration and scoring of tests to technicians as provided in ORS 675.010(4) and OAR 858-010-0001, if the licensee ensures the technicians are adequately trained to administer and score the specific test being used; and ensures that the technicians maintain standards for the testing environment and testing administration as set forth in the American Psychological Association Standards for Educational and Psychological Tests (1999) and Ethical Principles for Psychologists (2002).

Stat. Auth: ORS 675.010 - 675.150

Stats. Implemented: ORS 675-010

Hist.: BPE 2-2004, f. & cert. ef. 8-30-04

858-010-0005

Board Duties and Procedure

(1) **Board Meetings.** The State Board of Psychologist Examiners shall meet as necessary at a time and place specified by the Board and at such other times and places as specified by the Chair of the Board, a majority of members of the Board or by the Governor. The time and place of all meetings shall be posted on the Board's website.

(2) **Board Members.** Board members shall receive a per diem of \$50 a day for board meetings, conference attendance, presentations and Board sub-committee meetings when acting in their official capacity.

(3) **Internal Organization.** At the last meeting in each fiscal year, the first order of business shall be organizational matters, including election of Board Chair and Vice-Chair and the assignment of standing responsibilities to Board members. The term of the Chair, Vice Chair or any standing assigned responsibility can be changed or terminated at any meeting where the proposal has been placed on the agenda and sent to the members one week in advance of the meeting, or by unanimous consent of the Board.

(4) Chair and Vice Chair Responsibilities:

(a) The Chair is authorized to take emergency action between Board meetings, subject to ratification by the Board. However, in the case of actions significant enough to normally require Board decisions, the Chair shall first attempt to get authorization for such decisions from the Board members through telephone or email communication. All emergency actions of any kind shall be noted in the agenda for the next meeting and shall become the first order of business at that next meeting;

(b) The Vice-Chair shall perform the duties of the Chair when the Chair is unable to do so.

(5) **Board Communications.** Only the Board Chair shall write other than routine or form letters in the name of the Board unless members are specifically authorized in a Board meeting to do so. The Board should approve in advance any correspondence that may materially affect Board policies and procedures. When a delay might render the Board's functioning ineffective, the Chair may be required to take immediate action that shall be reviewed at the next meeting of the Board.

(6) **Board Files.** All Board files shall be assembled in the Board's official office. The Board Administrator shall maintain the Board's files under the direction of the Chair. The Board Administrator shall maintain a master record of any files that are checked out of the Board office by Board members. The Board Administrator shall be notified whenever any Board file is transferred from the possession of one person to another, and shall so note in the Board's records. Individuals who have in their possession documents or files pertaining to Board affairs are responsible for their protection and privacy.

(7) Minutes and Agendas:

(a) The minutes of a meeting shall be distributed to all Board members at least one week in advance of the next meeting;

(b) The agenda shall be prepared by the Board Chair or Board Administrator and distributed to all Board members at least one week before each meeting. The agenda items shall include reports by the Board Administrator, the Chair and each Board member who has received a specific assignment at the previous meeting or has a report to make regarding standing assignments. If there is insufficient time to inform the Board Chair, the Board Administrator shall make additional scheduling at the direct request of Board members. The Board may at its discretion, revise the agenda or limit it to a particular topic under special circumstances. Reports may be added as an addendum to the minutes of any meeting; and

(c) The agenda shall be distributed to all licensees and applicants for licensure.

(8) The Attorney General's Model Rules of Procedure under the Administrative Procedure Act, printed and promulgated by the Attorney General, effective January 1, 2009, shall be the rules of procedure before the Board under ORS 183.310 to 183.500.

Stat. Auth.: ORS 675.010 - 675.150

Stats. Implemented: ORS 675.110 & 675.130

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 8, f. 12-5-74, ef. 12-25-74; PE 12, f. & ef. 3-5-76; PE 13, f. & ef. 9-15-76; PE 1-1979, f. & ef. 9-5-79; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82; PE 1-1987(Temp), f. & ef. 3-6-87; PE 1-1988, f. & cert. ef. 7-25-88; PE 1-1991, f. & cert. ef. 4-3-91; PE 4-1993, f. & cert. ef. 7-19-93; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10

858-010-0007

Notice of Proposed Rule

Prior to the adoption, amendment, or repeal of a permanent rule, the Board of Psychologist Examiners shall give notice of the proposed adoption, amendment, or repeal:

(1) In the Secretary of State's Bulletin referred to in ORS 183.360, at least twenty-one (21) days prior to the effective date;

(2) By mailing or emailing a copy of the notice to individuals on the Board's mailing list established pursuant to ORS 183.335(86);

(3) By mailing or emailing a copy of the notice to the following individuals, organizations, or publications:

- (a) All licensees of the Board;
- (b) Oregon Psychological Association; and
- (c) All applicants for licensure.

(4) Prior to the adoption, amendment, or repeal of any rule of the Board relating to continuing education, the Board shall additionally mail a copy of the notice to the State Board of Higher Education.

Stat. Auth.: ORS 675.010 - 675.150

Stats. Implemented: ORS 675.110

Hist.: PE 13, f. & ef. 9-15-76; PE 1-1990, f. & cert. ef. 2-16-90; PE 2-1991, f. 8-15-91, cert. ef. 8-16-91; PE 4-1993, f. & cert. ef. 7-19-93; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10

858-010-0010

Education Requirements — Psychologist

(1) To meet the education requirement of ORS 675.030(1), an applicant must possess either:

(a) A doctoral degree in psychology from a program accredited by the American Psychological Association or its equivalent as of the date the degree was awarded; or

~~(b) A doctoral degree in psychology from a program at a college or university that is regionally accredited at the doctoral level by any one of the following regional accrediting associations: Northwest, North Central, Western, New England, Middle States or Southern, and~~

(b) A foreign degree from a program evaluated to be equivalent to American Psychological Association accreditation as of the date the degree was awarded. Evaluation must be completed by a credentialing body recognized by the Board. Submission of proof of foreign degree equivalency and cost of the foreign degree equivalency determination are the responsibility of the applicant; and

(c) A minimum of three academic years of full-time graduate study including at least one year which is in residence at the institution from which the degree is granted, or its equivalent.. Residence requires interaction with psychology faculty and other matriculated psychology students; one year's residence or its equivalent is defined as follows:

(i) Thirty semester hours or 45 quarter hours or the equivalent; or

(ii) A minimum of 500 hours of student-faculty contact involving face-to-face individual or group educational meetings. Such educational meetings must include both faculty-student and student-student interaction, be conducted by the psychology faculty of the institution at least 90 percent of the time, be documented by the applicant and the institution, and relate substantially to the program components specified.

(2) The program under sections (1)(a) or (b) must be defined as follows:

(a) Organizational Structure. The organizational structure of the graduate program must be defined as follows:

(A) The program must be identified and labeled as a program in psychology;

(B) The program must stand as a recognized entity within the institution;

(C) There must be an authority and primary responsibility for the core and specialty areas, whether or not the program cuts across administrative lines;

(D) There must be a sequence of study planned by those responsible for the program to provide an appropriate, integrated experience covering the field;

(E) There must be a faculty and a person administratively responsible for the program;

(F) There must be a body of students selected on the basis of high ability and appropriate educational preparation.

(b) Curriculum. The curriculum of the program must require applicant's successful completion of the following:

(A) 40 semester hours (60 quarter hours) of graduate courses identified by title and course content as psychology, that may include clinical, counseling, industrial/ organizational and school psychology, excluding thesis and practica;

(B) An original dissertation or equivalent that was psychological in nature that meets the requirement for an approved doctoral program;

(C) Three or more graduate semester hours (five or more graduate quarter hours) each in biological basis of behavior (including, but not limited to physiological psychology, comparative psychology, neuropsychology, psychopharmacology, sensation and perception, biological basis of development); cognitive-affective basis of behavior (including, but not limited to learning, thinking, motivation, emotion, cognitive development); social basis of behavior (including, but not limited to social psychology, organization theory, community psychology, social development); individual differences (including, but not limited to human development, personality theory, psychopathology); and

(D) At least one graduate course each in research design and methodology; statistics and psychometrics; and scientific and professional ethics.

Stat. Auth.: ORS 675.030

Stats. Implemented: ORS 675.030(1)(b)(c)

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1992, f. & cert. ef. 1-16-92; PE 3-1992, f. & cert. ef. 7-14-92; PE 1-1996, f. & cert. ef. 6-25-96; PE 1-1997, f. & cert. ef. 6-17-97; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10

858-010-0015

Education Requirements – Psychologist Associate

(1) To meet the education requirement of ORS 675.030(1), an applicant must possess ~~either: a masters degree in psychology from a program at a college or university that was regionally accredited at the graduate level as of the date the degree was awarded by any one of the following regional accrediting associations: Northwest, North Central, Western, New England, Middle States or Southern.~~

~~(a) A masters degree in psychology from a program accredited by the American Psychological Association as of the date the degree was awarded; or~~

~~(b) A masters degree in psychology from a program at a college or university that is regionally accredited at the doctoral level by any one of the following regional accrediting associations: Northwest, North Central, Western, New England, Middle States or Southern.~~

(2) The masters program shall include at least 45 quarter hours or 30 semester hours of graduate credit, 30 quarter hours or 20 semester hours of which must be in graded (not "pass-no pass") courses. Hours shall be from at least five of the basic areas of psychology including:

(a) Experimental psychology; Learning theory; Physiological psychology; Motivation; Perception; Comparative psychology; Statistical methods; Design of research; Developmental psychology; Individual differences; Social psychology; Organizational psychology; Personality theory; Abnormal psychology; and

(b) A minimum of one graduate level course in ethics; and

(c) A minimum of one graduate level course psychological tests and measurements.

Stat. Auth.: ORS 675.065

Stats. Implemented: ORS 675.065(1)(4)(c)

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1979, f. & ef. 9-5-79; PE 1-1989(Temp), f. & cert. ef. 2-24-89; PE 2-1989, f. & cert. ef. 5-24-89; PE 3-1989(Temp), f. & cert. ef. 9-7-89; PE 1-1990, f. & cert. ef. 2-16-90; PE 3-1992, f. & cert. ef. 7-14-92; PE 1-1993(Temp), f. & cert. ef. 2-12-93;

PE 3-1993, f. & cert. ef. 4-13-93; PE 5-1993, f. & cert. ef. 10-6-93; PE 1-1995, f. & cert. ef. 2-16-95; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 1-2002(Temp), f. 1-28-02, cert. ef. 1-31-02 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10

858-010-0016

Standard Application Procedure

(1) Filing of Applications. Upon receipt of an application for licensure, the Board shall process the application and determine if the application is complete. An application is considered complete when the following supporting documents have been received:

- (a) Proof of Master's or Doctorate Degree;
- (A) Final Graduate Level Transcript imprinted with date degree was awarded; or
- (B) A Verification of Educational Degree Form;
- (b) University Accreditation Form (non-APA accredited schools only);
- (c) Reference Forms;
- (d) Educational Record in Psychology Form (non-APA accredited schools only);
- (e) Social Security Number Authorization Form;
- (f) Verification of pre-degree supervised work (if any);
- (g) Verification of post-degree supervised work experience (if any);
- (h) National Written Examination (EPPP) score (if any);
- (i) Verification of Licensure in other states (if any);
- (j) Verification of ABPP status (if any);
- (k) Application Fee;
- (l) Criminal Background Check Fee, and
- (m) Other clarifying information requested by the Board.

Stat. Auth.: ORS 675.030

Stats. Implemented: ORS 675.030(1)(a)(b)(c)(d)(e)(2)

Hist.: BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10

858-010-0017

Non-Standard Application Procedure

(1) ABPP Board Certified . If an applicant is ABPP Board Certified by the American Board of Professional Psychology (ABPP), the applicant's ABPP file will be accepted as primary source documentation and the Board may issue a license if the applicant:

- (a) Has a doctoral degree in psychology;
- (b) Submits a complete application for licensure;
- (c) Requests ABPP to send a copy of the applicant's Certification file directly to the Oregon Board;
- (d) Passes the Oregon jurisprudence examination;
- (e) Pays the criminal background check fee; and
- (f) Pays the application fee.

(2) Certificate of Professional Qualification (CPQ). If an applicant holds a valid Certificate of Professional Qualification (CPQ) issued by the Association of State and Provincial Psychology Board (ASPPB), the applicant's CPQ file will be accepted as primary source documentation and the Board may issue a license if the applicant:

- (a) Has a doctoral degree in psychology;
- (b) Submits a complete application for licensure;
- (c) Requests ASPPB to send a copy of the applicant's CPQ file directly to the Oregon Board;
- (d) Passes the Oregon jurisprudence examination;
- (e) Pays the criminal background check fee; and
- (f) Pays the application fee.

(3) Health Service Provider in Psychology (HSPP). If an applicant holds a valid HSPP credential issued by the National Register, the Board may issue a license if the applicant:

- (a) Has a doctoral degree in psychology;
 - (b) Possesses and has maintained an active license as a psychologist in another state for at least five years;
 - (c) Submits a complete application for licensure;
 - (d) Requests the National Register to send a copy of the applicant's HSPP file directly to the Board;
 - (e) Passes a Board-administered jurisprudence examination;
 - (f) Pays the criminal background check fee; and
 - (g) Pays the application fee.
- (4) Senior Psychologist. The Board may issue a license if the applicant:
- (a) Possesses and has maintained for at least 15 years a license to practice based on a doctoral degree in psychology that is issued by a board that is a member jurisdiction of the Association of State and Provincial Psychology Boards;
 - (b) Submits a complete application for licensure;
 - (c) Requests the state(s) in which the applicant is licensed to send a copy of the applicant's licensure file directly to the Oregon Board;
 - (d) Passes the Oregon jurisprudence examination;
 - (e) Pays the criminal background check fee; and
 - (f) Pays the application fee.

Stat. Auth.: ORS 675.030

Stats. Implemented: ORS 675.030

Hist.: BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10

858-010-0018

Investigatory Powers

- (1) Additional Investigation. The Board shall not be limited in its investigation of an applicant's qualifications for licensure to the information supplied in the licensure application form and may direct additional investigation with respect to an applicant's qualifications prior to deciding

whether or not the applicant is eligible to take the EPPP or the Jurisprudence examination or enter into a residency contract.

(2) Record of Complaints. The Board shall review the Board's records of complaints and insert any reference to an applicant in the applicant's file.

(3) State and National Databanks. The Board shall also make inquiry, if appropriate, of other state, national or foreign certification or licensure boards, the National Practitioner Databank (NPDB-NIPDB), the Association of State and Provincial Psychology Boards' Disciplinary Databank or Oregon Judicial Information Network (OJIN) for relevant information.

Stat. Auth.: ORS 675.040, 675.045 & 675.050

Stats. Implemented: ORS 675.040, 675.045 & 675.050

Hist.: BPE 1-2010, f. & cert. ef. 1-8-10

858-010-0020

Process and Disposition of Application for License

(1) Application Review Procedure. When the application and all of the required supporting documents have been received, the application file shall be reviewed for eligibility. The reviewer shall either:

(a) Approve the application. When the reviewer determines the application is complete, a letter of approval shall be sent notifying the applicant of eligibility to take the EPPP and the Jurisprudence examination and to enter into a Resident Supervision Contract.

(b) Deny the application. If the application is denied, the reviewer shall send the applicant a letter noting the reason.

(c) Full Board review. Under unusual circumstances, the application will be reviewed by the full Board for determination of disposition.

(d) Applicants for licensure may appeal a decision by the reviewer by requesting in writing an application review by the full Board.

(2) Active Application. The Board shall maintain an incomplete application file for one year from the date the application was received. A file shall be presumed inactive if correspondence from the Board is returned as "undeliverable."

(3) The Board may extend the application period upon written request prior to the one year expiration date. Failure to receive a courtesy reminder notice from the Board shall not relieve an applicant of the responsibility to request an extension.

(4) Reapplication. If an application for licensure has been denied by the Board for any reason, the Board will not review a second application until at least one year has lapsed from the date of the previous denial.

(5) Information Changes. An Applicant must notify the Board immediately if any information submitted on the application changes, including but not limited to: address and telephone number; complaints; disciplinary actions; and, civil, criminal, or ethical charges and employment investigations which lead to termination or resignation. Failure to do so may be grounds for denial of the application or revocation of the license, once issued.

Stat. Auth.: ORS 675.040, 675.045 & 675.050

Stats. Implemented: ORS 675.040(1)(2)(3), 675.045(1)(2)(a)(b) , 675.050(1)(a)(b)(2)

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 2-1989, f. & cert. ef. 5-24-89; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10

858-010-0025

Procedure for Written Examination

(1) National Written Examination. The Board shall utilize the Examination for Professional Practice in Psychology (EPPP) developed by the Professional Examination Service (PES) for the Association of State and Provincial Psychology Boards (ASPPB).

(a) Applicants whose educational credentials and professional references have been approved by the Board shall be eligible to take the EPPP.

(b) Eligible applicants prepared to take the EPPP must submit a written request to the Board. The Board shall provide PES with the names of eligible applicants.

(c) Applicants who have taken the EPPP prior to April 20, 1990, must have passed the examination by achieving a score at or above the national mean of doctoral candidates taking the examination for the first time on that day. Applicants who have taken the EPPP prior to April 1993 must have passed the examination by achieving a score at or above the national mean of doctoral candidates taking the examination for the first time on that day or 75 percent, whichever is lower. The passing score for the EPPP from April 1993 to April 2001 shall be 140 or 70 percent. For computer administered forms of the EPPP, the Board requires a scaled score of 500.

(d) Special Accommodations. The Board shall provide PES an approval for special accommodations for a verified disability or for English as a second language upon written request by the applicant as described in OAR 858-010-0030(5).

(2) Re-examination. Any applicant who fails to achieve a passing score on the EPPP shall be allowed to take the examination a second time. If the examination is failed twice, the candidate must submit a written study plan for the Board to review and approve.

Stat. Auth.: ORS 675.040 & 675.045

Stats. Implemented: ORS 675.040 & 675.045

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1979, f. & ef. 9-5-79; PE 1-1980, f. & ef. 3-10-80; PE 1-1981(Temp), f. & ef. 12-9-81; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82; PE 2-1989, f. & cert. ef. 5-24-89; PE 1-1990, f. & cert. ef. 2-16-90; PE 1-1991, f. & cert. ef. 4-3-91; PE 3-1993, f. & cert. ef. 4-13-93; PE 4-1993, f. & cert. ef. 7-19-93; PE 1-1995, f. & cert. ef. 2-16-95; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10

858-010-0030

Procedures for Oregon Jurisprudence Examination

(1) Jurisprudence Examination. The purpose of the examination is to measure the candidate's knowledge and application of state laws and regulations related to the professional practice of psychology, including the American Psychological Association's ethical principles incorporated by Board statute and rule.

(a) Candidates whose education credentials, training and references have been accepted by the Board shall be notified in writing of their eligibility take the jurisprudence examination.

(b) The jurisprudence examination shall be administered at least twice a year.

(2) Eligible candidates prepared to take the jurisprudence examination must submit a written request to the Board postmarked at least 30 days prior to the examination date and pay the examination fee.

(3) The jurisprudence examination fee is not refundable.

(4) The applicant shall be given no less than two weeks' notice of the date, time and place of the applicant's scheduled examination. Appearance at the scheduled examination shall constitute a waiver of the prior written notice.

(5) Special Accommodations. Requests for special accommodations for a disability or for English as a second language must be made at the time the written request to sit for the examination is made, or when the disability becomes known to the applicant. The request must include:

(a) Written verification of the disability from a qualified care provider (i.e. a person certified or licensed by the state to provide such services) detailing:

(A) Nature, extent and duration of disability; and

(B) Recommendation(s) for accommodation.

(b) English as a Second Language: Written request for reasonable accommodation detailing:

(A) Level of proficiency in English including, but not limited to, number of years speaking and/or writing English;;

(B) History of special accommodations granted in similar testing circumstances;

(C) Other information to support request for special accommodation; and

(D) Recommendation(s) for accommodation.

(6) Administration.

(a) The Board shall determine the questions on each examination and shall determine the passing score.

(b) The Board shall provide a Candidate Handbook that includes a copy of the Board's examination rules and an explanation of the Board requirements related to scheduling and the conduct during the examination, current examination study materials and the Candidate Handbook shall be available at all times on the Board's website at www.Oregon.gov/OBPE.

(c) Disqualification. A candidate sitting for the jurisprudence examination may be disqualified during or after the examination for conduct which affects the integrity of the candidate's performance or the examination. Disqualification will result in denial of the candidate's application.

(7) Scoring. Candidates shall be assigned a number so test scorers do not know the identity of the test taker until the examination report is prepared for the Board. The Board shall notify each candidate in writing regarding the result of the examination within one week of the date of the examination. If a candidate has a complaint under investigation, the Board may delay issuing the licensure of that candidate until the complaint has been resolved.

(8) Reconsideration, Review and Reexamination.

(a) Within thirty days after notice of the examination results, a candidate who does not pass the examination may petition the Board in writing to have their examination rescored.

(b) Review. A candidate who does not pass the examination may review the examination record of incorrect questions and answers at the Board's office within a period of ninety days following the date of the examination and upon written request to the Board. The purpose of the review is

to assist the candidate prepare to retake the examination. No more than one review shall be allowed.

(c) Reexamination. A candidate who does not pass the examination may be reexamined. If a candidate does not pass the second examination and wishes to take a third examination the candidate must submit a study plan for the Board's review and approval prior to sitting for the third examination. If a candidate fails to pass the third examination, the candidate's application for licensure shall be denied.

Stat. Auth.: ORS 675.030, 675.040, 675.045, 675.050 & 675.065

Stats. Implemented: ORS 675.030, 675.040, 675.045, 675.050 & 675.065

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1979, f. & ef. 9-5-79; PE 1-1981(Temp), f. & ef. 12-9-81; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82; PE 1-1985(Temp), f. & ef. 12-20-85; PE 1-1986, f. & ef. 7-1-86; PE 1-1988, f. & cert. ef. 7-25-88; PE 3-1988(Temp), f. & cert. ef. 11-30-88; PE 1-1990, f. & cert. ef. 2-16-90; PE 1-1991, f. & cert. ef. 4-3-91; PE 2-1991, f. 8-15-91, cert. ef. 8-16-91; PE 3-1992(Temp), f. & cert. ef. 12-10-91; PE 1-1992, f. & cert. ef. 1-16-92; PE 3-1992, f. & cert. ef. 7-14-92; PE 1-1995, f. & cert. ef. 2-16-95; PE 1-1996, f. & cert. ef. 6-25-96; PE 1-1997, f. & cert. ef. 6-17-97; BPE 1-2000(Temp), f. 3-8-00, cert. ef. 3-8-00 thru 9-4-00; BPE 3-2000, f. & cert. ef. 9-7-00; BPE 1-2001(Temp), f. & cert. ef. 8-31-01 thru 2-27-02; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 4-2002, f. & cert. ef. 10-11-02; BPE 1-2004(Temp), f. & cert. ef. 3-2-04 thru 8-29-04; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2006, f. 8-29-06, cert. ef. 9-1-06; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10

858-010-0034

Criminal Background Checks

(1) The purpose of these rules is to provide for the reasonable screening of all applicants for licensure, and licensees who are under investigation, on or after March 1, 2010 in order to determine if they have a history of criminal behavior and are not fit to be issued a license by the Board.

(2) These rules are to be applied when evaluating the criminal history of an applicant for licensure or a licensee under investigation and conducting fitness determinations based upon such history. The fact that an applicant has cleared the criminal history check does not guarantee the granting of a license. The fact that a licensee under investigation has cleared the criminal history check does not guarantee continued licensure.

(3) The Board may require fingerprints of all applicants for a psychologist or psychologist associate license to determine fitness to practice. The Board may require licensees under investigation to provide fingerprints when the Board has a rational reason to determine if the licensee has a history of criminal behavior. Fingerprints will be provided on prescribed forms provided by the Board. Fingerprints may be obtained at a law enforcement office or at a private service acceptable to the Board; the Board will submit fingerprints to the Oregon Department of

State Police to conduct a Criminal History Check and a National Criminal History Check. Any original fingerprint cards will subsequently be destroyed by the Oregon Department of State Police in accordance with ORS 181-534(4).

(4) The Board may determine whether an applicant is fit to be granted a license, or whether a licensee under investigation is fit for continued licensure, based on the criminal records background check, any false statements made regarding their criminal history, and any refusal to submit or consent to a criminal records check including fingerprint identification. The Board may make a fitness determination conditional upon applicant's or licensee's acceptance of probation, conditions, limitations, or other restrictions upon licensure.

(5) Except as otherwise provided in section (2), in making the fitness determination, the Board shall consider:

(a) The nature of the crime;

(b) The facts that support the conviction or pending indictment or that indicate the making of the false statement;

(c) The relevancy, if any, of the crime or the false statement to the specific requirements of the applicant's or licensee's present or proposed license; and

(d) Mitigating circumstances relevant to the responsibilities and circumstances of the license. Mitigating circumstances include but are not limited to:

(A) The passage of time since the commission of the crime;

(B) The age of the applicant or licensee at the time of the crime;

(C) The likelihood of a repetition of offenses or of the commission of another crime;

(D) The subsequent commission of another relevant crime;

(E) Whether the conviction was set aside and the legal effect of setting aside the conviction; and

(F) Evidence, if any, of rehabilitation submitted.

(6) All requested background checks include available state and national data, unless obtaining one or the other is an acceptable alternative.

(7) In order to conduct the Oregon and National Criminal History Check and fitness determination, the Board may require additional information from the licensee under investigation or applicant as necessary, such as but not limited to, proof of identity; residential history; names used while living at each residence; or additional criminal, judicial or other background information.

(8) Criminal offender information is confidential. Dissemination of information received under HB 2157 is only available to people with a demonstrated and legitimate need to know the information. The information is part of the investigation of an applicant or licensee and as such is confidential pursuant to ORS 676.175(1).

(9) The Board will permit the individual for whom a fingerprint-based criminal records check was conducted to inspect their own state and national criminal offender records and, if requested, provide the individual with a copy of their own state and national criminal offender records.

(10) The Board may consider any conviction of any violation of the law in compliance with ORS 670.280, and for which the court could impose a punishment. The Board may also consider any arrests and court records that may be indicative of an individual's inability to perform as a licensee with care and safety to the public.

(10) The Board may consider any conviction of any violation of the law for which the court could impose a punishment and in compliance with ORS 670.280. The Board may also consider any arrests and court records that may be indicative of an individual's inability to perform as a licensee with care and safety to the public.

(11) If an applicant or licensee is determined not to be fit for licensure, the applicant or licensee is entitled to a contested case process pursuant to ORS 183.414-470. Challenges to the accuracy or completeness of information provided by the Oregon Department of State Police, Federal Bureau of Investigation and agencies reporting information must be made through the Oregon Department of State Police, Federal Bureau of Investigation, or reporting agency and not through the contested case process pursuant to ORS 183.

(12) If the applicant or licensee successfully contests the accuracy or completeness of information provided by the Oregon State Police, the Federal Bureau of Investigation or other agency reporting information to the Board, the Board will conduct a new criminal history check and re-evaluate the criminal history upon submission of a new criminal history request form.

(13) If the applicant discontinues the application process or fails to cooperate with the criminal history check process, the application is considered incomplete.

Stat. Auth.: ORS 181.534, 675.070

Stats. Implemented: ORS 181.534, 675.070

Hist.: BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10

858-010-0036

Guidelines for Supervised Work Experience Psychologists

(1) Policy. Two years of supervised work experience is required for licensure. A minimum of one year of the required work experience must take place after the doctorate degree is conferred.

(a) One year of supervised work experience is defined as 1,500 hours of psychological work performed over a period not less than twelve months.

(b) The Board may approve one year of pre-doctoral supervised work experience if the experience was a formal requirement of the applicant's doctoral program.

(c) Psychological work is defined as psychotherapy and treatment for an individual or group; diagnosis and assessment; completing documentation related to diagnosis or treatment provided; treatment planning; termination reports; chart reviews; client care meetings and consultation; psychological testing; research related to client care; report writing; and receiving formal training including workshops and conferences.

(d) At least 50% of psychological work must be face-to-face client contact.

(e) For the purposes of licensure, psychological work does not include business development; credentialing activities; marketing; purchasing; creating forms; administrative billing or other business management activities.

(2) The following guidelines shall be used by the Board to define supervised employment. While obtaining postdoctoral supervised work experience, the applicant must be in a Board approved Resident Supervision Contract:

(a) Working under the supervision of an Oregon licensed psychologist licensed in Oregon for at least two years; or

(b) Working under the supervision of an Oregon licensed psychologist licensed for at least two years in a state with licensing standards comparable to Oregon.

(c) Supervised employment in other jurisdictions must be In a formal supervised work experience arrangement under the supervision of a psychologist who has been licensed for at least two years in a state with licensing standards comparable to Oregon or

(d) For the period April 8, 2008 through December 31, 2009, an employee of an institution or agency exempt from licensure under ORS 675.090 (1)(e), who provides documentation of supervision by a psychologist licensed for at least two years may, at the discretion of the Board, receive supervised employment credit.

(3) Applicants whose educational credentials and professional references have been approved by the Board shall be eligible to enter into a Resident Supervision Contract as described in subsection (2)(a) of this rule.

(a) Resident status shall begin the date the Board approves the Resident Supervision Contract.

(b) Termination of a Resident Supervision Contract will be granted by the Board at the written request of the supervisor or the resident. The termination shall be effective at the time the Board

approves the request in writing, or on the date indicated by the supervisor in the final residency evaluation, whichever is later.

(c) If the supervisor is to be paid for supervision payment must be in the form of a per-hour fee.

(d) Supervision of more than two residents concurrently shall require prior approval by the Board.

(4) Resident's Responsibilities. The resident's conduct must conform to the following standards:

(a) Title. The resident must be designated at all times by the title "psychologist resident." All signed materials, letterheads, business cards, telephone directory listings, Internet postings; brochures, insurance billings and any other public or private representation must include the individual's title as "psychologist resident" and the supervisor's name and designation "supervisor."

(b) Scope of Practice. The resident will only offer services in those areas that the supervisor is competent.

(c) Nature of Supervision. The resident must obtain frequent and regular supervision meetings throughout the duration of the Resident Supervision Contract. The resident must provide the supervisor with a periodic evaluation of all cases and psychological activities in which the resident is engaged. The resident's practice must comply with Oregon laws and administrative rules.

(d) The supervisor is not required to be working on-site with the resident.

(e) Non-routine individual supervision may occur by electronic means when geographical distance, weather or emergency prohibit a face-to-face meeting.

(f) Frequency. If a resident works 1-20 hours in a week the resident must at least one hour of individual supervision every week. If a resident works more than 21 hours in a week the resident must receive at least two hours of supervision every week. One hour must be individual and one hour may be group supervision. On a non-routine basis individual supervision may be delayed up to 14 days to accommodate vacations, illness, travel or inclement weather.

(A) Group supervision must be:

(i) A formal and on-going group of at least three mental health professionals;

(ii) Facilitated by a licensed mental health professional;

(iii) Approved by the resident's supervisor; and

(iv) All legal and ethical issues must be referred back to the supervisor if the group facilitator is not a licensed psychologist.

(g) Duration. The resident status is a transitional step toward licensure and is not intended as a means to avoid licensure. A Psychologist Resident Contract shall be effective for a period, not to exceed two years from the date of Board approval. The Board may extend the contract beyond two years upon a written request from the resident and the supervisor prior to the expiration of the contract. Failure to receive a courtesy reminder notice from the Board shall not relieve the resident of the responsibility to request an extension.

(h) Confidentiality. The resident must advise all clients orally and in their informed consent policy that the supervisor may have access to all information and material relevant to the client's case.

(i) Promptly communicate to the Board any significant interruption or expected termination of the Resident Supervision Contract;

(j) The resident must provide the Board with a Supervisor Evaluation Report at the conclusion, or termination of the Resident Supervision Contract.

(5) Responsibilities of the Supervisor. The supervisor's conduct must conform to the following standards:

(a) Closely review, supervise and evaluate representative and problem cases with attention to diagnostic evaluation, treatment planning, ongoing case management, emergency intervention, recordkeeping and termination;

(b) Countersign all psychological reports and professional correspondence produced by the resident; and ensure that letterhead, business cards, telephone directory listings, brochures, insurance billing and any other public or private representation includes the appropriate title of "Psychologist Resident" or "Psychologist Associate Resident" the supervisor's name and designation as "supervisor" Client progress notes do not need to be co-signed by the supervisor.

(c) Review with the resident, Oregon laws and administrative rules related to the practice of psychology, including the 2002 APA "Ethical Principles of Psychologists and Code of Conduct," professional relationships and referrals, protection of records, billing practices, recordkeeping and report writing;

(d) Assist the psychologist resident in developing a plan to prepare for the national written exam and the Oregon jurisprudence examination;

(e) Promptly communicate to the Board any professional or ethical concerns regarding the resident's conduct or performance;

- (f) Promptly communicate to the Board any significant interruption or expected termination of the Resident Supervision Contract;
 - (g) Ensure that the resident has access to supervision by telephone to discuss urgent matters, if the supervisor is unavailable for any reason, during a period not to exceed fourteen days;
 - (h) In the absence of the primary supervisor, not to exceed fourteen days, one-on-one supervision hours may be conducted retro-actively.
 - (i) Keep notes of each supervisory session, and provide them to the Board upon request;
 - (j) Maintain a record of hours of supervision and provide it to the Board upon request and
 - (k) Provide the Board with a Resident Evaluation Report at the conclusion, or termination, of the Resident Supervision Contract.
- (6) Associate Supervisor. Any supervision of the resident by a person other than the primary supervisor must be identified in the Resident Contract and approved by the Board.
- (a) The associate supervisor is responsible for providing supervision as described in section (5) of this rule in the event that the primary supervisor is unavailable for any reason; and
 - (b) The associate supervisor is responsible for reporting any professional or ethical concerns regarding the resident's conduct or performance to the primary supervisor and the Board.

Stat. Auth.: ORS 675.030, 675.040, 675.045, 675.050, 675.065 & 675.110

Stats. Implemented: ORS 675.030, 675.040, 675.045, 675.050, 675.065, 675.110

Hist.: PE 1-1988, f. & cert. ef. 7-25-88; PE 1-1990, f. & cert. ef. 2-16-90; PE 1-1991, f. & cert. ef. 4-3-91; PE 2-1991, f. 8-15-91, cert. ef. 8-16-91; PE 4-1993, f. & cert. ef. 7-19-93; PE 1-1996, f. & cert. ef. 6-25-96; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 4-2002, f. & cert. ef. 10-11-02; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10

858-010-0037

Supervised Work Experience -- Psychologist Associate

- (1) Applicants must complete a one year full-time internship or one year of other supervised learning practicum deemed equivalent by the Board.
- (2) Applicants must complete three years of full-time post-masters degree supervised work experience. The guidelines used by the Board to define the three-year supervised work experience requirement for psychologist associate applicants shall conform to those guidelines used in OAR 858-010-0036, except that:
 - (a) The resident shall be designated at all times by the title "psychologist associate resident" and

(b) A Resident Supervision Contract will be effective for a period not to exceed four years. The Board, in its discretion, may extend the contract beyond four years.

Stat. Auth.: ORS 675.065 & 675.110
Stats. Implemented: ORS 675.065 & 675.110
Hist.: BPE 1-2010, f. & cert. ef. 1-8-10

858-010-0038

Continued Supervision -- Licensed Psychologist Associate

Before the initial license is issued, the psychologist associate and the supervising psychologist must submit a "Contract for Continued Supervision of a Licensed Psychologist Associate." Day-to-day supervision of the licensed psychologist associate is the responsibility of the supervisor and includes such face-to-face consultation as is required by the nature of the work of the psychologist associate, and is consistent with accepted professional practices in psychology.

Stat. Auth.: ORS 675.065 & 675.110
Stats. Implemented: ORS 675.065 & 675.110
Hist.: BPE 1-2010, f. & cert. ef. 1-8-10

858-010-0039

Application for Independent Status -- Psychologist Associate

A licensed psychologist associate may apply to the Board for approval to function as an independent psychologist associate. Independent status will be granted only after at least three years of work as a licensed psychologist associate or a psychologist at a demonstrated high level of professional proficiency.

Stat. Auth.: ORS 675.065 & 675.110
Stats. Implemented: ORS 675.065 & 675.110
Hist.: BPE 1-2010, f. & cert. ef. 1-8-10

858-010-0041

License Renewals

(1) Before the Board will issue a license or approve a request for active or semi-active status under ORS 675.110, a licensee must:

(a) Submit a signed Renewal Notice and Affidavit attesting to meeting the continuing education requirements of OAR 585-040-0015 and reporting any history of felony convictions, pending criminal charges or history of discipline;

(b) Pay the appropriate fee; and

(c) Pay the delinquent fee (if any).

(2) Semi-Active License.

(a) Continuing education requirements shall be the same as for active licensees as described in OAR 858-040-0015.

(b) Before the Board will approve a request for semi-active status a licensee must:

(A) Be at least 62 years of age; and

(B) Not engage in the practice of psychology as defined in ORS 675.020 for more than twenty client contact hours per week.

(3) A Renewal Notice and Affidavit and the correct fee must be postmarked by the stated due date to be considered timely. Licensee holds the burden of proof of mailing.

(4) Delinquent Fees.

(a) A delinquent fee must be paid for a licenses renewed after the stated due date. The Board shall have discretion to waive this fee in documented hardship cases.

(b) If license renewal and delinquent fees are not paid within 30 days immediately following the due date defined in section (3), the license shall lapse.

(c) To renew a license that has lapsed for nonpayment of the renewal or delinquent fees, an individual must:

(A) Submit a completed Application for Reinstatement postmarked within sixty days of the stated due date on the Renewal Notice and Affidavit; and

(B) Attest that the individual has to not engaged in the unlicensed practice of psychology during the lapsed period; and

(C) Pay the required fee.

(5) Failure to receive a courtesy renewal reminder from the Board shall not relieve a licensee of renewal requirements and consequences.

Stat. Auth.: ORS 675.010 - 675.150

Stats. Implemented: ORS 675.110

Hist.: BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10

858-010-0050

Inactive Status

Inactive status may be granted to licensees who have made a request in writing to the Board.

(1) To reactivate a license from inactive status to active or semi-active status the licensee shall request in writing and report professional and continuing education activities covering the period since the inactive license was granted.

(2) Reactivation Request. If the written request to reactivate a licensee from inactive status to active or semi-active status occurs within five years the Board may, at its discretion, reactivate the license.

(3) If the Board determines that the licensee has not engaged in professional and continuing education activities sufficient to maintain professional competence, or if the written request to reactivate the license is not received within five years, the licensee must re-take the Oregon jurisprudence examination and obtain a passing score.

(4) If the inactive licensee does not pass the Oregon jurisprudence examination, the Board may require the submission of a study plan designed to correct deficiencies in the licensee's examination performance and/or require that the licensee establish a Board approved consultation relationship as described in OAR 858-010-0036 the duration of which may be specified by the Board.

(5) The Board may reactivate the license upon receipt of documentation that the proposed study plan and/or period of consultation has been successfully completed and the deficiencies rectified, or at its discretion, may require the re-take and successful passing of the Oregon jurisprudence examination.

Stat. Auth.: ORS 675.110

Stats. Implemented: ORS 675.110

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1979, f. & ef. 9-5-79; PE 3-1980, f. & ef. 12-12-80; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82; PE 2-1988, f. & cert. ef. 10-7-88; PE 1-1990, f. & cert. ef. 2-16-90; PE 1-1992, f. & cert. ef. 1-16-92; PE 3-1992, f. & cert. ef. 7-14-92; PE 3-1993, f. & cert. ef. 4-13-93; Renumbered to 858-040-0010; PE 1-1996, f. & cert. ef. 6-25-96; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10

858-010-0055

Limited Permits

(1) The Board may grant a limited permit to practice psychology in the State of Oregon to individuals who possess and have maintained an active license as a psychologist in another jurisdiction in good standing. Applicants must:

- (a) Submit an Visitor's Permit Application or a Temporary Permit Application;
- (b) Submit proof of licensure in good standing from other jurisdictions;
- (c) Pay the limited permit fee;
- (d) Submit a statement certifying that the applicant has read and understands Oregon law relating to the practice of psychology.

(2) Limited Permit Types.

(a) Visitor's Permit. A visitor's permit may be issued to psychologists that do not intend to seek full licensure in Oregon, and are providing psychological services for a limited, time-specific period only.

(A) A statement of work must be submitted with the Visitor's Permit Application, and whenever the psychologist re-enters Oregon.

(B) The statement of work must include purpose, location, and the specific dates of service.

(C) A visitor's permit shall be effective for no more than 30 days in a 12 month period.

(b) Temporary Permit. The Board may grant a temporary permit to an approved applicant for full licensure in Oregon.

(A) Individuals applying for a temporary permit that do not have a minimum of five years of licensure must consult with an Oregon licensed psychologist at least one hour per week on matters pertaining to Oregon law. The consultant must agree and be named on the Limited Permit Application.

(B) A temporary permit shall be effective for no more than 90 calendar days. Applicants granted a temporary permit must take the jurisprudence examination within 90 days from the date the permit is approved.

(C) Failure to pass the jurisprudence examination shall result in cancellation of the temporary permit. The Board has discretion to extend the temporary permit for an additional 30 days in order to allow the applicant time to transition clients to another provider.

(D) Applicants whose temporary permit is cancelled may submit a Consultation Contract for Board approval to continue providing services after the cancellation date.

Stat. Auth.: ORS 675.063

Stats. Implemented: ORS 675.063

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 2-1989, f. & cert. ef. 5-24-89; PE 1-1990, f. & cert. ef. 2-16-90; PE 3-1992, f. & cert. ef. 7-14-92; PE 1-1995, f. & cert. ef. 2-16-95; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-1999(Temp), f. & cert. ef. 3-2-99 thru 7-1-99; BPE 2-1999, f. & cert. ef. 7-6-99; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08; BPE 1-2010, f. & cert. ef. 1-8-10; BPE 2-2010, f. & cert. ef. 9-28-10

858-010-0060

Psychological Records

(1) Maintenance and retention of records. The psychologist or psychologist associate rendering professional services to an individual client or services billed to a third party payer, shall maintain professional records for a client for a minimum of seven years from the date of last service. The records shall include:

- (a) The name of the client and other identifying information;
- (b) The presenting problem(s) or purpose or diagnosis;
- (c) The fee arrangement;
- (d) The date and substance of each billed or service-count contact or service;
- (e) Any test results or other evaluative results obtained and any basic test data from which they were derived;
- (f) Notation and results of formal consults with other providers;
- (g) A copy of all test or other evaluative reports prepared as part of the professional relationship;
- (h) Any releases executed by the client;
- (i) Any signed informed consents.

(2) Disposition in case of death or incapacity of the licensee. Psychologists and psychologist associates shall make necessary arrangements for maintenance of and access to client records to ensure confidentiality in case of death or incapacity of the licensee.

(3) Oregon licensees shall name a Qualified Person to intercede for client welfare and to make necessary referrals, when appropriate, and shall keep the Board notified of the name of the qualified person. The Board shall not release the name of the qualified person except in the case of the death or incapacity of the licensee or if the licensee is inactive or has resigned and the former client is unable to locate the licensee.

(4) Qualified Person. A qualified person under this rule is an active or semi-active Oregon licensed psychologist.

Stat. Auth.: ORS 675.030, 675.040, 675.045, 675.050, 675.065 & 675.110

Stats. Implemented: ORS 675.030, 675.040, 675.045, 675.050, 675.065, 675.110

Hist.: PE 1-1996, f. & cert. ef. 6-25-96; BPE 4-2002, f. & cert. ef. 10-11-02; BPE 1-2010, f. & cert. ef. 1-8-10

858-010-0065

Resignation of License Holder

A person holding a valid Oregon license to practice psychology may voluntarily resign their license by:

(1) Submitting a written resignation with the Board's Administrator.

(2) Submission of a voluntary resignation shall not affect investigations or disciplinary actions.

Stat. Auth.: ORS 675.070

Stats. Implemented: ORS 675.070(2)(d)

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1996, f. & cert. ef. 6-25-96; BPE 1-1999(Temp), f. & cert. ef. 3-2-99 thru 7-1-99; BPE 2-1999, f. & cert. ef. 7-6-99; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2010, f. & cert. ef. 1-8-10

858-010-0075

Code of Professional Conduct

The Board adopts for the code of professional conduct of psychologists in Oregon the American Psychological Association's "**Ethical Principles of Psychologists and Code of Conduct**" effective June 1, 2002.

[Publications referenced are available at <http://www.apa.org/ethics/>. The 1992 APA "Ethical Principles of Psychologists and Code of Conduct" is also available from the agency.]

Stat. Auth.: ORS 675.030, 675.040, 675.045, 675.050, 675.065 & 675.110

Stats. Implemented: ORS 675.030, 675.040, 675.045, 675.050, 675.065 & 675.110

Hist.: PE 6, f. 12-19-73, ef. 1-11-74; PE 1-1982, f. 4-13-82, ef. 6-1-82; PE 2-1982, f. & ef. 7-23-82; PE 4-1989(Temp), f. & cert. ef. 11-28-89; PE 1-1990, f. & cert. ef. 2-16-90; PE 3-1992, f. & cert. ef. 7-14-92; PE 5-1993, f. & cert. ef. 10-5-93; PE 1-1996, f. & cert. ef. 6-25-96; PE 1-1997, f. & cert. ef. 6-17-97; BPE 2-2002, f. & cert. ef. 2-27-02; BPE 3-2002(Temp), f. & cert. ef. 4-15-02 thru 10-12-02; BPE 4-2002, f. & cert. ef. 10-11-02; BPE 2-2004, f. & cert. ef. 8-30-04; BPE 1-2008, f. & cert. ef. 3-26-08

858-010-0080

Repeal of Prior Rules

Upon the effective date of adoption of these rules, the prior existing Rules of the State Board of Psychologist Examiners as contained in OAR 858-010-0005 to 858-010-0060 shall be repealed.

Stat. Auth.:

Stats. Implemented:

Hist.: PE 6, f. 12-19-73, ef. 1-11-74