

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

<b>BOARD OF PSYCHOLOGIST EXAMINERS</b>	858
Agency	Administrative Rules Chapter Number
Debra Orman McHugh	3218 Pringle Road SE, Ste 130; Salem, OR 97302
Rules Coordinator	Address
	Telephone

**RULE CAPTION**

Rule corrections and updates; requires licensees provide Board with address, phone, and name changes.  
**Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.**

**RULEMAKING ACTION**

**ADOPT:** 858-010-0061

**AMEND:** 858-010-0010, 858-010-0016, 858-010-0017, 858-010-0036, 858-010-0065, 858-020-0085

Stat. Auth.: ORS 675.010 - 675.150

Other Auth.:

Stats. Implemented: ORS 675.110(17)

**RULE SUMMARY**

Adds requirement that licensees notify the Board in writing within 30 days of address, phone, and name changes. Removes requirement that supervised work experience consist of at least 50% face-to-face client contact. Other minor housekeeping items.

5/22/2011 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	4/11/2011
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 adoption of OAR 858-010-0061 and the amendment of OAR 858-010-0010, 858-010-0016, 858-010-0017, 858-010-0036, 858-010-0065, and 858-020-0085.

Rule Caption: Rule corrections and updates; requires licensees provide Board with address, phone, and name changes.

Statutory Authority: ORS 675.010 - 675.150

Other Authority:

Stats. Implemented: ORS 675.110(17)

Need for the Rule(s): The Board determined that due to the frequency of licensees failing to notify the Board of address, phone number and name changes, a rule should be implemented requiring them to do so within 30 days. This will promote the accuracy of publicly available information, and ensure that licensees timely receive important Board mailings such as renewal notices.

The Board determined that the requirement that supervised work experience consist of at least 50% face-to-face client contact was an unnecessary training standard for the rendering of ethical psychological services in Oregon.

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

4/11/2010

Signature

Printed name

Date

# BOARD OF PSYCHOLOGIST EXAMINERS

## DIVISION 10

### PROCEDURAL RULES

#### 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 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; or

(c) 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

(d) 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; BPE 1-2011, f. & cert. ef. 1-25-11

### **858-010-0016 Standard Application Procedure**

**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~~items have been received:

- (1) 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;
- (2) University Accreditation Form (non-APA accredited schools only);
- (3) Reference Forms;
- (4) Educational Record in Psychology Form (non-APA accredited schools only);
- (5) Social Security Number Authorization Form;
- (6) Verification of pre-degree supervised work ~~(if any)~~;
- (7) Verification of post-degree supervised work experience (if any);
- (8) National Written Examination (EPPP) score (if any);
- (9) Verification of Licensure in other states (if any);
- (10) Verification of ABPP status (if any);
- (11) Application Fee;
- (12) Criminal Background Check Fee, and
- (13) 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~~the Oregon 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

### **858-010-0036**

#### **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.~~

~~(d)~~(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; BPE 2-2010, f. & cert. ef. 9-28-10; BPE 1-2011, f. & cert. ef. 1-25-11

### **858-010-0061**

#### **Notification Requirements**

Licensees shall notify the Board in writing within 30 days of the following:

(1) Change of public or mailing address.

(2) Change of telephone number.

(3) Any name change. Licensees must submit a change of name form provided by the Board, accompanied by a copy of the legal document showing the name change.

Stat. Auth.: ORS 675.110

Stats. Implemented: ORS 675.110

Hist.:

#### **858-010-0065 Resignation of License Holder**

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

(1) ~~S~~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 675.030, 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

**DIVISION 20**

**COMPLAINTS, INVESTIGATIONS, AND CONTESTED CASE HEARINGS**

**858-020-0085**

**Board Records**

If the Board determines to take disciplinary action in accordance with ORS 675.070 to restrict, suspend, or revoke a license, notice to this effect will be published in a Board publication and published on the Board's website. Final disciplinary actions will also be reported to the National Practitioner Databank (NPDB-NIPDB); and the Association of State and Provincial Psychology Boards' Disciplinary Databank.

Stat. Auth.: ORS 675.110

Stats. Implemented: ORS 675.110

Hist.: 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