

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form.

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rule(s) adopted on **10/10/2012** by the

BOARD OF PSYCHOLOGIST EXAMINERS	858
Agency and Division	Administrative Rules Chapter Number
LaRee Felton	3218 Pringle Road SE, Ste 130; Salem, OR 97302
Rules Coordinator	Address
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to become effective **10/15/2012 through 4/13/2013**.

RULE CAPTION

Modifies educational and exam requirements for licensure; clarifies criteria for complaint rejection.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

AMEND: OAR 858-010-0010, 858-010-0015, 858-010-0017, 858-010-0030, and 858-020-0025.

Stat. Auth.: ORS 675.010 - 675.150

Other Auth.:

Stats. Implemented: ORS 675.030, 675.050, 675.065, 675.070 & 675.110

RULE SUMMARY

Modifies the core and clinical coursework content areas and adds a requirement for a minimum number of graded courses to the clinical psychology educational requirements for licensure as a psychologist for applicants who possess a doctoral degree from a regionally accredited, provincially chartered, or foreign program. Also allows these and psychologist associate applicants to complete limited coursework outside of their degree-granting program if the applicant's degree-granting program was deficient in required content areas. Allows certain psychologist applicants previously licensed for at least 15 years to meet the EPPP (national) exam requirement if they previously passed the exam based on the original licensing board's standards. Establishes when a candidate for licensure must retake the jurisprudence exam. Clarifies the criteria used to reject a complaint filed with the Board.

//LaRee Felton
Authorized Signer

LaRee Felton
Printed name

10/15/2012
Date

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
TEMPORARY ADMINISTRATIVE RULES

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BOARD OF PSYCHOLOGIST EXAMINERS

858

Agency and Division

Administrative Rules Chapter Number

In the Matter of: The amendment of OAR 858-010-0010, 858-010-0015, 858-010-0017, 858-010-0030, and 858-020-0025.

Rule Caption: Modifies educational and exam requirements for licensure; clarifies criteria for complaint rejection.

Stat. Auth.: ORS 675.010 - 675.150

Other Auth.:

Stats. Implemented: ORS 675.030, 675.050, 675.065, 675.070 & 675.110

Need for the Temporary Rule(s): The rules regarding educational requirements for licensure received an overhaul in September of 2011. The Board determined that some of the changes resulted in unintended consequences for clinical psychology applicants possessing doctoral degrees from regionally accredited, provincially chartered, and foreign programs. Many highly qualified applicants have been effectively barred from licensure in Oregon because the coursework requirements are too stringent and do not allow any exceptions for applicants who are deficient even a single course credit in any of the required content areas. Applicants from out of state who have been practicing for many years are required to retake the EPPP exam if their score did not meet Oregon's standard even by one point, even though they passed the exam based on their original licensing state's standard over fifteen years prior. These temporary rules make various revisions to the educational and exam requirements which make licensure more achievable for applicants with degrees from regionally accredited, provincially chartered, or foreign programs. The Board determined that the clinical psychology education requirements are deficient because they do not require any graded coursework. A program would pass muster even if it offered no graded coursework. The Board also determined there was a lack of clarity in the rule that describes the criteria used to reject a complaint filed with the Board.

Documents Relied Upon, and where they are available: OAR Chapter 858, Divisions 10 and 20, available on the OBPE website at oregon.gov/obpe/Pages/laws_rules.aspx.

Justification of Temporary Rule(s): The agency must take immediate action because failure to act promptly will result in serious prejudice to the public interest and to the qualified applicants who are barred from licensure under the current rules. Failure to immediately amend the rules will further impede applicants from becoming licensed, many of whom have been delayed since September 2011 when the educational requirements were previously amended. Qualified psychologists and psychologist associates from other states are being prevented from relocating to Oregon because they do not meet the excessively stringent requirements. Extended delays will further exacerbate the economic harm on those applicants who cannot practice in the profession of psychology, or continue to be barred from seeking or accepting employment in the field. This would be a detriment to the public interest because qualified professionals will be prevented from providing essential mental health services in Oregon. The deficiency regarding lack of required graded

coursework needs to be addressed promptly to maintain high standards of education to ensure ethical psychological services in Oregon. This will align the standard with that of master's level practitioners. Also, the lack of clarity in the rule that describes when a complaint will be rejected must be modified immediately to avoid further confusion to those who administer the rule and to the public, and to avoid waste of state resources considering complaints where the allegation is not enforceable by the Board or should be properly referred to another enforcement body.

//LaReé Felton
Authorized Signer

LaReé Felton
Printed name

10/15/2012
Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 945-2005