

HB 2361 – Fact Sheet

LC Requested By

Oregon Board of Licensed Professional Counselors and Therapists (primary requestor); State Board of Psychologist Examiners; State Board of Licensed Social Workers.

Summary

Removes exemption from licensure by Oregon Board of Licensed Professional Counselors and Therapists for certain persons.

Background

HB 2361 repeals ORS 675.825(4), which exempts individuals who lack requisite education from the requirement to be licensed in order to practice professional counseling and marriage and family therapy.

The exemption language found in ORS 675.825(4) was added as part of enrolled HB 2506 (2009). This “Counselor Education Exemption” provides that the Oregon Board of Licensed Professional Counselors and Therapists’ statutes do not prevent unqualified individuals from practice that includes assessing, diagnosing and treating mental, emotional and behavioral disorders. It restricts the Board’s ability to protect the public from the unqualified and improper practice of professional counseling and marriage and family therapy, posing a risk of harm to public consumers of mental health services. In fact, since the inception of the Counselor Education Exemption, the Board has been forced to dismiss numerous reported cases that included highly unethical conduct simply because the practitioner did not have a qualifying master’s degree.

The Boards propose to eliminate the “Counselor Education Exemption” of ORS 675.825(4). The State Board of Psychologist Examiners and the Board of Licensed Social Workers jointly support this concept. These boards already have in existence statutes that prevent unlicensed individuals from treating and diagnosing disorders, without any educational exemption. Therefore, this measure will not change any person’s ability to practice their profession in Oregon. It will only serve to allow the Board of Licensed Professional Counselors and Therapists to enforce its own practice act.

Fiscal Impact

None.

Stakeholder Outreach

The three boards held four joint public meetings from late 2015 through 2016 to analyze this issue and gather stakeholder feedback.