

HB 2949-7
(LC 2893)
2/4/21 (LHF/ps)

Requested by Representative BYNUM

**PROPOSED AMENDMENTS TO
HOUSE BILL 2949**

1 On page 1 of the printed bill, line 2, after “675.375,” insert “675.510,
2 675.537.”

3 In line 5, delete “, 8”.

4 On page 2, delete lines 38 through 45.

5 On page 3, delete lines 1 through 4 and insert:

6 **“SECTION 8. (1) The Oregon Health Authority shall establish a**
7 **program to provide grants to licensed psychologists, licensed marriage**
8 **and family therapists, licensed professional counselors and licensed**
9 **clinical social workers to provide supervised clinical experience to as-**
10 **sociates or other individuals who have the necessary education but**
11 **need supervised clinical experience to obtain a license to practice:**

12 **“(a) Psychology;**

13 **“(b) Marriage and family therapy, as defined in ORS 675.705;**

14 **“(c) Professional counseling, as defined in ORS 675.705; or**

15 **“(d) Clinical social work, as defined in ORS 675.510.**

16 **“(2) The authority shall adopt rules to carry out the provisions of**
17 **this section.**

18 **“SECTION 9. In addition to and not in lieu of any other appropri-**
19 **ation, there is appropriated to the Oregon Health Authority, for the**
20 **biennium beginning July 1, 2021, out of the General Fund, the amount**
21 **of \$5,000,000, to be expended to carry out section 8 of this 2021 Act,**

1 **distributed as follows:**

2 **“(1) \$2,000,000 to county mental health programs; and**

3 **“(2) \$3,000,000 to private practitioners.”.**

4 On page 4, delete lines 29 through 45 and delete page 5.

5 On page 6, delete lines 1 through 16 and insert:

6 **“SECTION 16.** ORS 675.705 is amended to read:

7 **“675.705. As used in ORS 675.715 to 675.835:**

8 **“(1) ‘Assessment’ means assessment under standards developed by a na-**
9 **tional body responsible for accrediting graduate training programs in clinical**
10 **counseling for professional counselors or in marriage and family therapy for**
11 **marriage and family therapists.**

12 **“(2) ‘Clinical experience’ means the professional practice of applying**
13 **psychotherapeutic principles and methods to provide assessment, diagnosis**
14 **and treatment of mental disorders.**

15 **“(3) ‘Direct client contact hours’ includes face-to-face or telehealth**
16 **counseling experiences with individuals, groups, couples or families.**

17 **“(4) ‘Indirect client contact hours’ includes:**

18 **“(a) Scheduling appointments by telephone or electronic mail, fol-**
19 **lowing up with clients who miss appointments by telephone, electronic**
20 **mail or mail;**

21 **“(b) Attending counseling-related trainings via workshops, webinars**
22 **or conferences;**

23 **“(c) Consulting with off-site members of a client’s treatment team;**

24 **“(d) Reading articles, books or posts on the Internet regarding**
25 **counseling theory or treatment;**

26 **“(e) Participating in peer consultation groups with colleagues;**

27 **“(f) Researching community resources for referrals;**

28 **“(g) Using reference materials such as the Diagnostic and Statis-**
29 **tical Manual of Mental Disorders to confirm the criteria for diagnoses;**

30 **“(h) Filing reports, such as with child protective services agencies,**

1 **on behalf of a client;**

2 **“(i) Consulting with a malpractice insurance carrier about a**
3 **subpoena or other work-related matter;**

4 **“(j) Engaging in treatment planning activities such as finding**
5 **handouts or worksheets for use in session;**

6 **“(k) Reviewing case notes or audio or video recordings of previous**
7 **sessions;**

8 **“(L) Attending voluntary or mandatory meetings pertaining to a**
9 **client’s treatment, such as individualized education program meetings**
10 **or court hearings;**

11 **“(m) Attending site orientation training, including reviewing policy**
12 **and procedures manuals;**

13 **“(n) Shadowing clinical work with a client;**

14 **“(o) Writing case notes, assessments, clinical reports or discharge**
15 **planning paperwork; or**

16 **“(p) Engaging in other activities outside of a counseling session**
17 **that support the work with clients.**

18 “[3] (5) ‘Licensed marriage and family therapist’ means a person [*to*
19 *whom a license has been issued*] **licensed** under ORS 675.715.

20 “[4] (6) ‘Licensed professional counselor’ means a person [*issued a li-*
21 *cence*] **licensed** under ORS 675.715.

22 “[5] (7) ‘Licensee’ means a licensed professional counselor or a licensed
23 marriage and family therapist.

24 “[6](a) (8)(a) ‘Marriage and family therapy’ means the assessment, di-
25 agnosis or treatment of mental, emotional or behavioral disorders involving
26 the application of family systems or other psychotherapeutic principles and
27 methods in the delivery of services to individuals, couples, children, families,
28 groups or organizations.

29 “(b) ‘Marriage and family therapy’ may include, but is not limited to:

30 “(A) Application of counseling techniques for the purpose of resolving

1 intrapersonal or interpersonal conflict or changing perceptions, attitudes,
2 behaviors or interactional processes in the area of human relationships and
3 family life;

4 “(B) Provision of services to address wellness or optimal functioning in
5 human relationships or family life;

6 “(C) Research activities, including reporting, designing or conducting re-
7 search in marriage and family therapy with human subjects;

8 “(D) Referral activities, including the referral to other specialists when
9 indicated to provide ethical treatment;

10 “(E) Consulting activities that apply marriage and family therapy proce-
11 dures to provide assistance to organizations that support or enrich marriage
12 and family life; and

13 “(F) Record keeping activities, including documentation of counseling
14 treatment, therapeutic services or clinical supervision.

15 “[~~(7)(a)~~] **(9)(a)** ‘Professional counseling’ means the assessment, diagnosis
16 or treatment of mental, emotional or behavioral disorders involving the ap-
17 plication of mental health counseling or other psychotherapeutic principles
18 and methods in the delivery of services to individuals, couples, children,
19 families, groups or organizations.

20 “(b) ‘Professional counseling’ may include, but is not limited to:

21 “(A) Application of intervention methods based on cognitive, affective,
22 behavioral, systemic or human development principles;

23 “(B) Provision of counseling services to address personal growth or
24 wellness;

25 “(C) Definition of goals and the planning of action reflecting interests,
26 abilities, aptitudes or needs as they relate to problems, disabilities or con-
27 cerns in personal, social, educational, rehabilitation or career adjustments;

28 “(D) Research activities, including reporting, designing or conducting re-
29 search in counseling with human subjects;

30 “(E) Referral activities, including the referral to other specialists when

1 indicated to provide ethical treatment;

2 “(F) Consulting activities that apply counseling procedures and interper-
3 sonal skills to provide assistance in solving problems relating to an individ-
4 ual, group or organization; and

5 “(G) Record keeping activities, including documentation of counseling
6 treatment, therapeutic services or clinical supervision.

7 “[8] **(10)** ‘Registered [*intern*] **associate**’ means an applicant for licensure
8 who is registered to obtain post-degree supervised clinical experience toward
9 licensure according to an approved plan pursuant to ORS 675.720.

10 **“SECTION 17.** ORS 675.720 is amended to read:

11 “675.720. (1) If an applicant for a license under ORS 675.715 possesses the
12 graduate degree required by ORS 675.715 but has not submitted documenta-
13 tion satisfactory to the Oregon Board of Licensed Professional Counselors
14 and Therapists that the applicant has the required supervised clinical expe-
15 rience, the applicant must register [*an internship*] **a** plan to obtain acceptable
16 post-degree supervised clinical experience to qualify for a license as a pro-
17 fessional counselor or as a marriage and family therapist.

18 “(2) To register as a professional counselor [*intern*] **associate** or as a
19 marriage and family therapist [*intern*] **associate** under this section, the ap-
20 plicant shall submit in the form and manner determined by the board:

21 “(a) A request for registration; and

22 “(b) A plan to obtain or complete [*the supervised clinical experience re-*
23 *quired for licensure.*]:

24 **“(A) 1,600 direct client contact hours;**

25 **“(B) 1,400 indirect client contact hours; and**

26 **“(C) Two years of supervised clinical experience, which may include**
27 **up to 400 hours of supervised direct client contact completed during**
28 **the clinical portion of a qualifying graduate degree program.**

29 “(3) The board shall register the applicant as an [*intern*] **associate** upon
30 receipt and approval of the completed request and plan required in sub-

1 section (2) of this section.

2 “(4)(a) A registered [*intern*] **associate** must renew the certificate of reg-
3 istration annually on or before the first day of the month in which the board
4 approved the initial registration. To renew a certificate of registration, a
5 registered [*intern*] **associate** shall:

6 “(A) Submit a renewal application in the form and manner established by
7 the board accompanied by a renewal fee pursuant to ORS 675.785; and

8 “(B) Document fulfillment of all other requirements established by the
9 board by rule.

10 “(b) Failure to renew a registration within 30 days of the annual renewal
11 date terminates the registration and the application for licensure.

12 “(5) Registered [*interns*] **associates** are subject to all ethical standards
13 adopted by the board.

14 “**SECTION 18.** ORS 675.510 is amended to read:

15 “675.510. As used in ORS 675.510 to 675.600, unless the context requires
16 otherwise:

17 “(1) ‘Authorization to practice regulated social work’ means a certificate
18 or license issued by the State Board of Licensed Social Workers under ORS
19 675.510 to 675.600.

20 “(2) ‘Clinical social work’ means:

21 “(a) A specialty within the practice of master’s social work that requires
22 the application of specialized clinical knowledge and advanced clinical skills
23 to the assessment, diagnosis or treatment of mental, emotional or behavioral
24 disorders or conditions, or as further defined by the board by rule;

25 “(b) The application of services described in paragraph (a) of this sub-
26 section to the provision of individual, marital, couples, family or group
27 counseling or psychotherapy; or

28 “(c) The clinical supervision, as defined by the board by rule, of services
29 described in paragraphs (a) and (b) of this subsection.

30 “(3) ‘Clinical social worker’ means a person who practices clinical social

1 work.

2 “(4) ‘Direct client contact hours’ includes face-to-face or telehealth
3 counseling experiences with individuals, groups, couples or families.

4 “(5) ‘Indirect client contact hours’ includes:

5 “(a) Scheduling appointments by telephone or electronic mail, fol-
6 lowing up on clients who miss appointments by telephone, electronic
7 mail or mail;

8 “(b) Attending counseling-related trainings via workshops, webinars
9 or conferences;

10 “(c) Consulting with off-site members of a client’s treatment team;

11 “(d) Reading articles, books or posts on the Internet regarding
12 counseling theory or treatment;

13 “(e) Participating in peer consultation groups with colleagues;

14 “(f) Researching community resources for referrals;

15 “(g) Using reference materials such as the Diagnostic and Statis-
16 tical Manual of Mental Disorders to confirm the criteria for diagnoses;

17 “(h) Filing reports, such as with child protective service agencies,
18 on behalf of a client;

19 “(i) Consulting with a malpractice insurance carrier about a
20 subpoena or other work-related matter;

21 “(j) Engaging in treatment planning activities such as finding
22 handouts or worksheets for use in session;

23 “(k) Reviewing case notes or audio or video recordings of previous
24 sessions;

25 “(L) Attending voluntary or mandatory meetings pertaining to a
26 client’s treatment, such as individualized education program meetings
27 or court hearings;

28 “(m) Attending site orientation training, including reviewing policy
29 and procedures manuals;

30 “(n) Shadowing clinical work with a client;

1 **“(o) Writing case notes, assessments, clinical reports or discharge**
2 **planning paperwork; or**

3 **“(p) Engaging in other activities outside of a counseling session**
4 **that support the work with clients.**

5 “[(4)] (6) ‘Practice of baccalaureate social work’ means the basic,
6 generalist practice of social work that includes assessment, planning, inter-
7 vention, evaluation, case management, information and referral, counseling,
8 supervision, consultation, education, advocacy, community organization, and
9 the development, implementation and administration of policies, programs
10 or activities.

11 “[(5)] (7) ‘Practice of master’s social work’ means social work character-
12 ized by the application of specialized knowledge and advanced practice skills
13 in the areas of assessment, treatment planning, implementation or evalu-
14 ation, case management or referral, counseling, nonclinical supervision,
15 consultation, education, research, advocacy, community organization, or the
16 development, implementation or administration of policies, programs or ac-
17 tivities.

18 “[(6)] (8) ‘Practice of social work’ means the application of social work
19 theory, knowledge, methods and ethics to restore or enhance social,
20 psychosocial or biopsychosocial functioning of an individual, couples, fami-
21 lies, children, groups, organizations or communities.

22 “[(7)] (9) ‘Regulated social worker’ means a baccalaureate social worker
23 registered under ORS 675.532, a master’s social worker licensed under ORS
24 675.533, a clinical social work associate certified under ORS 675.537 or a
25 clinical social worker licensed under ORS 675.530.

26 “[(8)] (10) ‘Unprofessional conduct’ includes, but is not limited to, any
27 conduct or practice contrary to recognized standards of ethics of the social
28 work profession or any conduct that constitutes or might constitute a danger
29 to the health or safety of a client or the public or in any other manner fails
30 or might fail to adhere to the recognized standards of the profession.

1 **“SECTION 19.** ORS 675.537 is amended to read:

2 “675.537. (1) If an applicant for initial certification as a clinical social
3 work associate has complied with the requirements of this section and has
4 paid the fee under ORS 675.571, the State Board of Licensed Social Workers
5 shall certify the applicant. Upon certification, the board shall issue a cer-
6 tificate to the applicant.

7 “(2) An applicant for certification as a clinical social work associate shall
8 submit evidence satisfactory to the board that the applicant:

9 “(a) Has complied with all applicable provisions of ORS 675.510 to 675.600
10 and the applicable rules of the board;

11 “(b) Holds a master’s degree in social work from a college or university
12 accredited by an accrediting organization recognized by the board; and

13 “(c) Has developed a plan approved by the board for completion of [*prac-
14 tice and supervision requirements as defined by the rules of the board*]:

15 **“(A) 1,600 direct client contact hours;**

16 **“(B) 1,400 indirect client contact hours; and**

17 **“(C) Two years of supervised clinical experience, which may include
18 up to 400 hours of supervised direct client contact completed during
19 the clinical portion of a qualifying graduate degree program.”.**

20 In line 17, delete “18” and insert “20”.

21 On page 7, line 18, delete “19” and insert “21”.

22 On page 8, line 38, delete “20” and insert “22”.

23 On page 9, line 30, delete “(6)(a)” and insert “(8)(a)”.

24 In line 31, delete “(7)(a)” and insert “(9)(a)”.

25 In line 35, delete “21” and insert “23”.

26 On page 11, after line 3, insert:

27 **“SECTION 24. (1)(a) The amendments to ORS 675.720 2)(b) by section
28 17 of this 2021 Act apply to requests for registration as a professional
29 counselor associate or as a marriage and family therapist associate
30 that are submitted on or after the effective date of this 2021 Act.**

1 **“(b) The amendments to ORS 675.720 (2)(b)(A) and (C) by section 17**
2 **of this 2021 Act apply to requests for registration as a professional**
3 **counselor associate or as a marriage and family therapist associate**
4 **that are submitted before, on or after the effective date of this 2021**
5 **Act.**

6 **“(2) The amendments to ORS 675.537 (2)(c) by section 19 of this 2021**
7 **Act apply to applications for certification as a clinical social work as-**
8 **sociate that are submitted before, on or after the effective date of this**
9 **2021 Act.”.**

10 In line 4, delete “22” and insert “25”.

11 In line 5, delete “23” and insert “26”.

12
