

HB 3761 -1 STAFF MEASURE SUMMARY

House Committee On Behavioral Health and Health Care

Prepared By: Alexandra Kihn-Stang, LPRO Analyst

Meeting Dates: 3/18, 4/3

WHAT THE MEASURE DOES:

The measure requires art therapists who obtain licensure through the Health Licensing Office (HLO) to complete two years of supervised mental health practice, enables the HLO to issue provisional licenses to art therapists who meet certain criteria before they have completed the supervised mental health practice, and requires the Oregon Health Authority (OHA) and coordinated care organizations (CCOs) to reimburse art therapists licensed through the HLO for behavioral health services provided to recipients of the state medical assistance program.

Detailed Summary

- Directs OHA and CCOs to reimburse licensed art therapists, licensed certified art therapists, and provisional licensed art therapists for the cost of behavioral health services provided through the state medical assistance program.
- Requires art therapists to complete two years of supervised mental health practice before obtaining licensure.
- Creates a provisional license within the HLO Art Therapy Program. Directs the HLO to issue a provisional license to an art therapist that meets certain criteria and specifies qualification criteria for obtaining a provisional license. Requires an art therapist with a provisional license to practice under a qualified supervisor.
- Specifies conditions that must be met in order for a provisional licensee to apply for a license as an art therapist. Enables the HLO to impose other requirements by rule.
- Specifies that new licensure requirements apply to individuals who apply for licensure beginning January 1, 2028.
- Takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Establishing Medicaid reimbursement for art therapists as a means of increasing access and reducing barriers to receiving art therapy services
- Current billing and reimbursement rules require art therapists to obtain a second provider qualification in order bill for their services
- Redundancy of needing to obtain both art therapy and counseling credentials

EFFECT OF AMENDMENT:

-1 Specifies that a licensed art therapist, licensed certified art therapist, or provisionally licensed art therapist may perform psychological or other assessments intended to diagnose or measure mental illness only when the provider has relevant formal training in the use of that assessment.

Fiscal impact: Has minimal fiscal impact

Revenue impact: No revenue impact

BACKGROUND:

Art therapists are practitioners who utilize art mediums, the creative process, and the art produced to support clients living with depression, anxiety, attachment disorders, and post-traumatic stress. Art therapy integrates psychotherapeutic principles to support clients in increasing their awareness of self and others, processing stress

and traumatic events, coping with symptoms, and implementing therapeutic approaches to meet individual developmental, behavioral, emotional, and cognitive needs.

Housed within the Oregon Health Authority (OHA), the Health Licensing Office (HLO) supports professional boards, councils, and programs with oversight of many health and health-related professions. House Bill 2432 ([2017](#)) directed the HLO to issue licenses to qualified art therapists to practice art therapy. Senate Bill 29 ([2019](#)) further modified requirements for art therapist licensure. The HLO [Art Therapy Program](#) provides licenses to those who practice art therapy or use the title art therapist.

The coordinated care organization (CCO) model was established in 2012 through the passage of House Bill 3650 ([2011](#)) and Senate Bill 1580 ([2012](#)). CCOs provide a range of health services to their members, including physical, oral, and behavioral health care, either directly or through partnerships. Currently, there are sixteen CCOs operating regionally across Oregon, serving more 92% of Oregon's nearly 1.5 million OHP members.

House Bill 3761 requires art therapists who obtain licensure through the Health Licensing Office (HLO) to complete two years of supervised mental health practice, enables the HLO to issue provisional licenses to art therapists who meet certain criteria before they have completed the supervised mental health practice, and requires the Oregon Health Authority and coordinated care organizations to reimburse art therapists licensed through the HLO for behavioral health services provided to recipients of the state medical assistance program.