

House Bill 3760

Sponsored by Representative TRAN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that HLO can give a license as a provisional licensed art therapist. The Act also says that other art therapists have to do two years of supervised mental health practice before they can get a license. (Flesch Readability Score: 64.2).

Allows the Health Licensing Office to issue to a qualified applicant a license to practice art therapy as a provisional licensed art therapist. Requires an applicant for a license as a licensed art therapist or licensed certified art therapist to complete two years of supervised mental health practice.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to art therapy; creating new provisions; amending ORS 681.740, 681.743, 681.746, 681.749,
3 681.752 and 681.758; and prescribing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 681.740 to**
6 **681.758.**

7 **SECTION 2. (1) The Health Licensing Office may issue a license to engage in the practice**
8 **of art therapy as a provisional licensed art therapist to an applicant who:**

9 (a) **Is at least 18 years of age;**

10 (b) **Has received at least a master's degree from a program accepted by the Art Therapy**
11 **Credentials Board, Inc., or its successor organization, and approved by the office;**

12 (c) **Submits sufficient proof, as determined by the office, of:**

13 (A) **As approved by the office by rule, satisfying the requirements as a provisional reg-**
14 **istered art therapist by the Art Therapy Credentials Board, Inc., or its successor organiza-**
15 **tion;**

16 (B) **Engagement in a supervisory relationship with a qualified supervisor; and**

17 (C) **Being in good standing in any other states where the applicant is authorized to**
18 **practice art therapy; and**

19 (d) **Pays a licensure fee.**

20 (2) **A provisional licensed art therapist may apply to the office for a license under ORS**
21 **681.743 or 681.746 once the provisional licensed art therapist:**

22 (a) **Completes two years of supervised mental health practice, as defined by the Art**
23 **Therapy Credentials Board, Inc., or its successor organization, and approved by the office**
24 **by rule; and**

25 (b) **Meets other requirements established by the office by rule.**

26 **SECTION 3. ORS 681.740 is amended to read:**

27 681.740. As used in ORS 681.740 to 681.758:

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (1) “Art therapy” means the integrated use of psychotherapeutic principles, visual art media and
 2 the creative process to assist clients in increasing awareness of self and others, coping with symp-
 3 toms, stress and traumatic experiences, enhancing cognitive abilities and identifying and imple-
 4 menting therapeutic interventions to meet developmental, behavioral, cognitive and emotional needs.

5 (2) “Board certified art therapist” means a person who is credentialed by the Art Therapy Cre-
 6 dentials Board, Inc., or its successor organization, as a board certified art therapist.

7 (3) “Licensed art therapist” means a person **who is** licensed by the Health Licensing Office to
 8 practice art therapy under ORS 681.743.

9 (4) “Licensed certified art therapist” means a person **who is** licensed by the office to practice
 10 art therapy under ORS 681.746.

11 (5) “Practice of art therapy” means to engage professionally and for compensation in providing
 12 art therapy services that include, but are not limited to:

13 (a) Evaluation during client sessions;

14 (b) Using treatment activities that provide clients with opportunities for expression through the
 15 creative process;

16 (c) Using art therapy assessment methods to determine treatment goals and implement
 17 therapeutic art interventions to meet clients’ developmental, emotional and mental needs; and

18 (d) Employing art media, the creative process and the resulting artwork to assist clients in
 19 coping with and reducing psychiatric symptoms, including anxiety, attachment disorders, depression
 20 and post-traumatic stress, enhancing neurological, cognitive and verbal abilities and promoting ap-
 21 propriate skills development.

22 (6) **“Provisional licensed art therapist” means a person who is licensed by the office to**
 23 **practice art therapy under section 2 of this 2025 Act.**

24 [(6)] (7) “Registered art therapist” means a person who is credentialed by the Art Therapy
 25 Credentials Board, Inc., or its successor organization, as a registered art therapist.

26 **SECTION 4.** ORS 681.743 is amended to read:

27 681.743. The Health Licensing Office may issue a license to engage in the practice of art therapy
 28 as a licensed art therapist to an applicant who:

29 (1) Is at least 18 years of age;

30 (2) Has received at least a master’s degree from a program accepted by the Art Therapy Cre-
 31 dentials Board, Inc., or its successor organization, and approved by the office;

32 (3) Submits sufficient proof, as determined by the office, of:

33 (a) **Having completed two years of supervised mental health practice as a provisional li-**
 34 **icensed art therapist;**

35 [(a)] (b) As approved by the office by rule, satisfying the requirements to be credentialed as a
 36 registered art therapist by the Art Therapy Credentials Board, Inc., or its successor organization;
 37 and

38 [(b)] (c) Being in good standing in any other states where the applicant is [*licensed or certified*]
 39 **authorized** to practice art therapy; and

40 (4) Pays a licensure fee.

41 **SECTION 5.** ORS 681.746 is amended to read:

42 681.746. The Health Licensing Office may issue a license to engage in the practice of art therapy
 43 as a licensed certified art therapist to an applicant who:

44 (1) Is at least 18 years of age;

45 (2) Has received at least a master’s degree from a program accepted by the Art Therapy Cre-

1 dentials Board, Inc., or its successor organization, and approved by the office;

2 (3) Submits sufficient proof, as determined by the office, of:

3 (a) **Having completed two years of supervised mental health practice as a provisional li-**
 4 **censed art therapist;**

5 [(a)] (b) As approved by the office by rule, satisfying the requirements as a board certified art
 6 therapist by the Art Therapy Credentials Board, Inc., or its successor organization; and

7 [(b)] (c) Being in good standing in any other states where the applicant is [*licensed or certified*]
 8 **authorized** to practice art therapy; and

9 (4) Pays a licensure fee.

10 **SECTION 6.** ORS 681.749 is amended to read:

11 681.749. (1) A licensed art therapist [*and*], a licensed certified art therapist **and a provisional**
 12 **licensed art therapist** shall comply with the rules adopted by the Health Licensing Office pursuant
 13 to ORS 681.758.

14 (2) A licensed art therapist [*or*], licensed certified art therapist **or provisional licensed art**
 15 **therapist** may, in accordance with that person's education and training, administer and use appro-
 16 priate assessment instruments to measure and treat a client's affective, behavioral and cognitive
 17 disorders or problems. A licensed art therapist [*or*], licensed certified art therapist **or provisional**
 18 **licensed art therapist** shall refer a client who presents with a disorder or problem that is beyond
 19 the **education and training of the** licensed art [*therapist's or*] **therapist**, licensed certified art
 20 [*therapist's education and training*] **therapist or provisional licensed art therapist** to a licensed
 21 health care practitioner qualified to treat that disorder or problem.

22 (3) A licensed art therapist [*or*], licensed certified art therapist **or provisional licensed art**
 23 **therapist** may not perform psychological or other assessments or testing designed to diagnose or
 24 measure mental illness.

25 **SECTION 7.** ORS 681.752 is amended to read:

26 681.752. (1) A person may not engage in the practice of art therapy, purport to be engaged in
 27 the practice of art therapy or use a title, word or abbreviation, including "art therapist," to indicate
 28 or imply that the person is authorized or qualified to engage in the practice of art therapy unless
 29 the person is licensed under ORS 681.743 or 681.746 **or section 2 of this 2025 Act.**

30 (2) Subsection (1) of this section does not apply to:

31 (a) The practice of art therapy as an integral part of a supervised course of study in art therapy;

32 (b) A person who holds a master's degree in art therapy and who is engaged in the practice of
 33 art therapy under supervision as part of clinical training to fulfill the supervised experience re-
 34 quirement to be credentialed as a registered art therapist;

35 (c) A person licensed under the laws of this state in a profession or occupation other than art
 36 therapy who uses art in a manner incidental to the person's practice;

37 (d) A person who has training and national certification that attest to the person's preparation
 38 and ability and who practices the profession or occupation in which the person is certified, if the
 39 person does not represent that the person is an art therapist;

40 (e) A person who is employed by a state, local or federal government agency or by a community
 41 mental health program or drug and alcohol treatment program authorized by this state, if the person
 42 provides services within the person's scope of employment and the person does not use the term
 43 "art therapy" in connection with the services; or

44 (f) A person who is authorized by this state to provide mental health services if the person
 45 provides those services within the person's authorized scope of practice and does not use the title

1 “art therapist” in connection with the services.

2 **SECTION 8.** ORS 681.758 is amended to read:

3 681.758. The Health Licensing Office shall adopt rules to:

4 (1) Establish a process for issuing licenses under ORS 681.743 and 681.746 **and section 2 of this**
5 **2025 Act;**

6 (2) Establish licensure fees for licenses issued under ORS 681.743 and 681.746 **and section 2 of**
7 **this 2025 Act;**

8 (3) Determine qualifications for applicants for initial licensure, license renewal and licensure by
9 reciprocity for licenses under ORS 681.743 and 681.746 **and section 2 of this 2025 Act;**

10 (4) Develop and maintain a publicly available record of licensed art therapists [*and*], licensed
11 certified art therapists **and provisional licensed art therapists;** and

12 (5) Establish standards of professional practice and standards of ethical conduct for licensed art
13 therapists [*and*], licensed certified art therapists **and provisional licensed art therapists** that take
14 into consideration the code of ethics, conduct and disciplinary procedures of the Art Therapy Cre-
15 dentials Board, Inc., or its successor organization.

16 **SECTION 9.** The amendments to ORS 681.743 and 681.746 by sections 4 and 5 of this 2025
17 Act apply to individuals who apply for licensure under ORS 681.743 or 681.746 on or after
18 January 1, 2028.

19 **SECTION 10.** (1) Section 2 of this 2025 Act and the amendments to ORS 681.740, 681.743,
20 681.746, 681.749, 681.752 and 681.758 by sections 3 to 8 of this 2025 Act become operative on
21 January 1, 2026.

22 (2) The Health Licensing Office may take any action before the operative date specified
23 in subsection (1) of this section that is necessary to enable the office to exercise, on and
24 after the operative date specified in subsection (1) of this section, all of the duties, functions
25 and powers conferred on the office by section 2 of this 2025 Act and the amendments to ORS
26 681.740, 681.743, 681.746, 681.749, 681.752 and 681.758 by sections 3 to 8 of this 2025 Act.

27 **SECTION 11.** This 2025 Act takes effect on the 91st day after the date on which the 2025
28 regular session of the Eighty-third Legislative Assembly adjourns sine die.

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