

House Bill 3761

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 makes changes to laws about how art therapists may be licensed. The Act requires OHA and CCOs to reimburse art therapists for the services they provide. (Flesch Readability Score: 71.7).

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.

Requires the Oregon Health Authority and coordinated care organizations to provide reimbursement in the state's medical assistance program for the cost of behavioral health services provided by licensed art therapists, licensed certified art therapists and provisional licensed art therapists.

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.**

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.

SECTION 3. ORS 681.740 is amended to read:

681.740. As used in ORS 681.740 to 681.758:

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

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

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

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

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

(a) Evaluation during client sessions;

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

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

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

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

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

SECTION 4. ORS 681.743 is amended to read:

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

(1) Is at least 18 years of age;

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

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

(a) Having completed two years of supervised mental health practice as a provisional licensed art therapist;

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

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

(4) Pays a licensure fee.

SECTION 5. ORS 681.746 is amended to read:

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

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

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

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

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

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

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

11 (4) Pays a licensure fee.

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

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

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

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

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

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

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

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

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

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

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

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

1 (f) A person who is authorized by this state to provide mental health services if the person
2 provides those services within the person’s authorized scope of practice and does not use the title
3 “art therapist” in connection with the services.

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

5 681.758. The Health Licensing Office shall adopt rules to:

6 (1) Establish a process for issuing licenses under ORS 681.743 and 681.746 **and section 2 of this**
7 **2025 Act;**

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

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

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

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

18 **SECTION 9.** Section 10 of this 2025 Act is added to and made a part of ORS chapter 414.

19 **SECTION 10.** (1) As used in this section, “licensed art therapist,” “licensed certified art
20 therapist” and “provisional licensed art therapist” have the meanings given those terms in
21 ORS 681.740.

22 (2) The Oregon Health Authority and a coordinated care organization shall provide re-
23 imbursement in the state’s medical assistance program for the cost of behavioral health
24 services provided by licensed art therapists, licensed certified art therapists and provisional
25 licensed art therapists.

26 **SECTION 11.** The amendments to ORS 681.743 and 681.746 by sections 4 and 5 of this 2025
27 Act apply to individuals who apply for licensure under ORS 681.743 or 681.746 on or after
28 January 1, 2028.

29 **SECTION 12.** Section 10 of this 2025 Act applies to medical assistance provided on or after
30 the operative date specified in section 13 of this 2025 Act.

31 **SECTION 13.** (1) Sections 2 and 10 of this 2025 Act and the amendments to ORS 681.740,
32 681.743, 681.746, 681.749, 681.752 and 681.758 by sections 3 to 8 of this 2025 Act become opera-
33 tive on January 1, 2026.

34 (2) The Health Licensing Office, the Oregon Health Authority and coordinated care or-
35 ganizations may take any action before the operative date specified in subsection (1) of this
36 section that is necessary to enable the office, authority or organization to exercise, on and
37 after the operative date specified in subsection (1) of this section, all of the duties, functions
38 and powers conferred on the office, authority or organization by sections 2 and 10 of this 2025
39 Act and the amendments to ORS 681.740, 681.743, 681.746, 681.749, 681.752 and 681.758 by
40 sections 3 to 8 of this 2025 Act.

41 **SECTION 14.** This 2025 Act takes effect on the 91st day after the date on which the 2025
42 regular session of the Eighty-third Legislative Assembly adjourns sine die.