

Chair Nosse and members of the committee,

My name is Larry Conner. I have been a Licensed Professional Counselor for 38 years. I serve as the Legislative Chair of the Oregon Mental Health Providers PAC which advocates for over 80 group mental health practices and countless private practitioners. In 2010, I was the founder of COPACT, the advocacy organization for Licensed Professional Counselors and Licensed Marriage and Family Therapists. I served COPACT for 12 years until 2022. During that time, I heard from a number of LPCs and LMFTs who had been disciplined by our Board, the Oregon Board for Licensed Professional Counselors and Therapists. Most of them had been disciplined for simple mistakes in ways that left them disillusioned and humiliated. One needless humiliation is that the discipline they received for simple mistakes continues to be listed publicly on the Board website many years following the time when they fulfilled what the board required them to do to correct the infraction. Having the disciplinary record for a simple mistake publicly published online for the rest of your career can have a severe impact on a licensee's ability to work.

HB2016 will limit the time the disciplinary record for less serious infractions will be posted publicly on the Board's website if the licensee has completed the required hours of supervision or education required by the Board. That listing will last for 3-5 years, depending on the severity of the violation. The Board will determine what kinds of violations are less or more serious, which would determine how long the licensee's disciplinary record would remain on the website. Any more serious violations leading to license revocation will remain on the public website indefinitely.

Just for the record, I am one of the authors of the current statute for our Board which was passed in 2009. I wrote the section of the current statute that defines that no licensee who has a sexual interaction with a client will ever be able to work again as a licensed or unlicensed counselor, and I stand by that. So, this bill is not about covering up seriously destructive behaviors. Rather it is focused on the mistakes that licensees make that can be corrected with required supervision and/or education.

Therapists can easily make a mistake in what we say or when we say it. We often get involved in messy divorces, custody battles, and domestic violence cases where it is very easy to get caught in the middle. With today's mounting paperwork requirements, we can easily miss a detail. These are some of the mistakes we can fall into that do not deserve public humiliation for all time. HB 2016 is focused on these less serious infractions.

A number of years ago, while I was still active with COPACT, an attorney hired me to evaluate a case in front of our Board. The attorney was shocked by how our Board was focused too much on punishment and not enough on rehabilitation. The attorney typically worked with the Medical, Dental, Pharmacy, and Nursing Boards. The attorney told me those Boards focus on getting the providers back to corrected practice as soon as reasonably possible. The attorney described their disciplinary processes as largely focused on educating rather than punishing the provider.

There is another element of this situation that needs to be addressed: the way our Board's investigations are performed can lead to distorted or inaccurate results. Where the other Boards' investigation interviews are performed by seasoned professionals from that particular profession, our Board's investigation interviews are performed by persons who typically come from law enforcement and have no training in mental health treatment. Their lack of mental health training can lead to mistakes in the investigative record which becomes the basis for the Board's disciplinary decision. It is a grave injustice that a disciplinary record can last forever online when it is based on faulty information or a lack of understanding of therapeutic techniques.

HB 2016 attempts to change only one part of the process. I would like the Board to follow the direction of the other major health care Boards in Oregon and limit the time for public display of discipline for less serious offenses.

I ask you to pass HB 2016 to the floor with a do pass recommendation with the hope that our Licensure Board will see this as an invitation to move toward a more flexible and humane disciplinary process for less serious infractions.

Thank you for giving me a chance to address this issue.

Larry Conner MA LPC  
Legislative Chair, Oregon Mental Health Providers PAC