

Enrolled
House Bill 2117

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Mental Health Regulatory Agency)

CHAPTER

AN ACT

Relating to psychologist associates; creating new provisions; amending ORS 675.850; repealing ORS 675.065; and prescribing an effective date.

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

SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS 675.010 to 675.150.

SECTION 2. (1) A psychologist associate licensed by the Oregon Board of Psychology before the operative date specified in section 6 of this 2021 Act may perform specific functions within the practice of psychology if the psychologist associate is under the periodic direct supervision of a psychologist licensed by the board. The functions may include, but are not limited to:

- (a) Administering tests of mental abilities; and
- (b) Conducting personality assessments and counseling, including educational and vocational planning.

(2) Upon a petition by a psychologist associate, the board may grant to the psychologist associate the authority to perform the functions specified under subsection (1) of this section without periodic direct supervision.

(3) The board may adopt rules to carry out this section.

SECTION 3. ORS 675.850 is amended to read:

675.850. (1) A mental health care or social health professional may not practice conversion therapy if the recipient of the conversion therapy is under 18 years of age.

(2) As used in this section:

(a)(A) "Conversion therapy" means providing professional services for the purpose of attempting to change a person's sexual orientation or gender identity, including attempting to change behaviors or expressions of self or to reduce sexual or romantic attractions or feelings toward individuals of the same gender.

(B) "Conversion therapy" does not mean:

(i) Counseling that assists a client who is seeking to undergo a gender transition or who is in the process of undergoing a gender transition; or

(ii) Counseling that provides a client with acceptance, support and understanding, or counseling that facilitates a client's coping, social support and identity exploration or development, including counseling in the form of sexual orientation-neutral or gender identity-neutral interventions provided for the purpose of preventing or addressing unlawful conduct or unsafe sexual practices, as long as

the counseling is not provided for the purpose of attempting to change the client's sexual orientation or gender identity.

(b)(A) "Mental health care or social health professional" means:

(i) A licensed psychologist as defined in ORS 675.010;

(ii) A psychologist associate licensed [*under ORS 675.065*] **by the Oregon Board of Psychology before the operative date specified in section 6 of this 2021 Act;**

(iii) An occupational therapist or occupational therapy assistant both as defined in ORS 675.210;

(iv) A regulated social worker as defined in ORS 675.510;

(v) A licensed marriage and family therapist or licensed professional counselor both as defined in ORS 675.705; and

(vi) An individual who provides counseling as part of an educational or training program necessary to practice any of the professions described in sub-subparagraphs (i) to (v) of this subparagraph.

(B) "Mental health care or social health professional" includes any individual not described in this paragraph who is licensed in this state and whose license authorizes the individual to provide mental health care or social health counseling services.

(3) Any state board that regulates licensees described in subsection (2)(b)(B) of this section may impose any form of discipline that the board may impose on a licensee under the laws of this state for violating a law of this state or a rule adopted by the board.

SECTION 4. The Oregon Board of Psychology shall continue to regulate persons who were licensed by the board as psychologist associates before the operative date specified in section 6 of this 2021 Act.

SECTION 5. ORS 675.065 is repealed.

SECTION 6. (1) Section 2 of this 2021 Act, the amendments to ORS 675.850 by section 3 of this 2021 Act and the repeal of ORS 675.065 by section 5 of this 2021 Act become operative on January 1, 2022.

(2) The Oregon Board of Psychology may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the board to exercise, on and after the operative date specified in subsection (1) of this section, the duties, functions and powers conferred on the board by section 2 of this 2021 Act, the amendments to ORS 675.850 by section 3 of this 2021 Act and the repeal of ORS 675.065 by section 5 of this 2021 Act.

SECTION 7. This 2021 Act takes effect on the 91st day after the date on which the 2021 regular session of the Eighty-first Legislative Assembly adjourns sine die.

Passed by House April 9, 2021

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate June 1, 2021

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

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Shemia Fagan, Secretary of State