

Enrolled
Senate Bill 59

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for State Board of Psychologist Examiners)

CHAPTER

AN ACT

Relating to examinations required by State Board of Psychologist Examiners; amending ORS 675.030, 675.040, 675.045, 675.050 and 675.065.

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

SECTION 1. ORS 675.030 is amended to read:

675.030. (1) Upon application [*therefor*] **for licensure** accompanied by the established fee, the State Board of Psychologist Examiners shall issue a psychologist license to any applicant who performs to the satisfaction of the board in [*the written and oral examination*] **examinations** prescribed by the board and furnishes evidence satisfactory to the board that the applicant:

- (a) Has complied with all applicable provisions of ORS 675.010 to 675.150 and the applicable rules of the board;
- (b) Holds a doctoral degree in psychology, such degree having been obtained from an approved doctoral program in psychology;
- (c) Has satisfactorily completed such courses and training as may be required by the board;
- (d) Has had two years of supervised employment under the direction of a psychologist licensed in Oregon or under the direction of a person considered by the board to have equivalent supervisory competence; and
- (e) Is of good moral character. For purposes of this section, the lack of good moral character may be established by reference to acts or conduct that reflect moral turpitude or to acts or conduct which would cause a reasonable person to have substantial doubts about the individual's honesty, fairness and respect for the rights of others and for the laws of the state and the nation. The conduct or acts in question must be rationally connected to the applicant's fitness to practice psychology.

(2) The board shall adopt rules by which a person receiving post-doctoral supervision during the application process may enter into a contract to practice psychology under the supervision of a licensed psychologist, psychologist associate or a person considered by the board to have equivalent supervisory competence. An applicant who enters such a contract shall be designated as a psychologist resident or a psychologist associate resident, accordingly, and shall be subject to ORS 675.010 to 675.150.

SECTION 2. ORS 675.040 is amended to read:

675.040. (1) Examinations **administered by the State Board of Psychologist Examiners** for applicants for licenses under ORS 675.010 to 675.150 shall be held [*not less frequently than*] **at least**

once every year at such times and places as the [State] board [of Psychologist Examiners] may determine. Timely and appropriate notice shall be sent to each applicant.

(2) Any applicant may, upon written request to the board, discuss the applicant's performance on the **board administered** examination with the board.

(3) Any applicant who fails to make a passing grade on the **board administered** examination shall be allowed to take the examination a second time. Any applicant who fails the examination a second time must obtain special permission from the board to take the examination again.

SECTION 3. ORS 675.045 is amended to read:

675.045. (1) The State Board of Psychologist Examiners shall adopt rules [stating the subject on which an applicant may be examined, how the written and oral examination is to be administered and the scoring or evaluation process used to determine whether an applicant has passed the oral or written examination. The board shall provide a copy of these rules to an applicant at least 30 days prior to any examination] **governing examinations required by the board.**

[2)(a) In advance of each oral examination, the board or its delegates shall determine the questions on which an applicant may be examined and shall agree upon the acceptable range of responses to each question or follow-up question. Each applicant taking the oral examination on a particular date shall be examined from the list of questions agreed on by the board.]

[b) Each applicant taking the oral examination shall be examined on knowledge and application of Oregon law, ethical principles and psychological principles and techniques.]

[3)] (2) [In addition to the requirements established pursuant to subsections (1) and (2) of this section for oral examinations,] **When the board requires a board administered examination,** the board shall [comply with the following when administering an oral examination]:

(a) [The board shall] Maintain a complete record of the proceedings and of the questions asked and responses given[.]; **and**

(b) [Applicants shall be informed] **Inform applicants** in writing of the examination results for each tested subject area. [An applicant who fails the oral examination shall be reexamined only in the tested areas in which the applicant did not receive a passing grade.]

[c)] (3) Upon written request to the board, an applicant who fails [the oral] **a board administered** examination may review [and, upon petition to the board or appeal, may obtain a copy of] the record of the [oral] examination. To ensure and maintain test security, the applicant shall sign a confidentiality agreement **prior to reviewing the record of the examination.**

[d)] (4) Any applicant who fails [the oral] **a board administered** examination shall be:

(a) Allowed to petition the board to reconsider the results of the entire examination or the results of a particular tested area.

(b) **Reexamined only in the tested areas in which the applicant did not receive a passing grade.**

SECTION 4. ORS 675.050 is amended to read:

675.050. (1) Upon application [therefor] **for licensure** accompanied by the established fee, the State Board of Psychologist Examiners may issue a license, without [written] **national** examination, to any applicant who furnishes evidence satisfactory to the board that the applicant:

(a) Holds a doctoral degree from an approved doctoral program in psychology and is licensed or certified to practice psychology in another state in which the requirements for such licensing or certification are, in the judgment of the board, essentially equivalent to licensing requirements of ORS 675.010 to 675.150 and the rules of the board;

(b) Is a diplomate in good standing of the American Board of Professional Psychology;

(c) Is licensed in a jurisdiction that is a party to a licensing reciprocity agreement with the State of Oregon and meets the requirements for reciprocity in the agreement;

(d) Possesses a valid Certificate of Professional Qualification granted by the Association of State and Provincial Psychology Boards or is credentialed as a Health Service Provider in Psychology by the National Register of Health Service Providers in Psychology; or

(e)(A) Possesses and has maintained for at least 15 years a license to practice psychology that is based on a doctoral degree and that is issued by a board that is a member jurisdiction of the Association of State and Provincial Psychology Boards; and

(B) Meets other requirements established by the State Board of Psychologist Examiners.

(2) The State Board of Psychologist Examiners shall **adopt by rule and** administer an *[oral]* examination **on Oregon law** to *[any person]* **an applicant** described in subsection (1) of this section.

SECTION 5. ORS 675.065 is amended to read:

675.065. (1) The State Board of Psychologist Examiners shall issue psychologist associate licenses to applicants who meet requirements of this section, do not possess a doctoral degree, and are deemed competent to perform certain functions within the practice of psychology under the periodic direct supervision of a psychologist licensed by the board. Such functions may include but are not restricted to administering tests of mental abilities, conducting personality assessments and counseling, including educational and vocational planning.

(2) The applicant shall pay to the board the application fee for a license.

(3) Upon petition by a *[psychology]* **psychologist** associate, the board may grant authority to function without immediate supervision.

(4) Upon application therefor accompanied by the fee established by the board, the board shall issue a psychologist associate license to any applicant who performs to the satisfaction of the board in the *[written and oral examination]* **examinations** prescribed by the board if the board determines that the applicant:

(a) Is of good moral character;

(b) Has complied with all the applicable provisions of ORS 675.010 to 675.150;

(c) Has received a master's degree in psychology from a psychology program approved by the board by rule;

(d) Has completed an internship in an approved educational institution or one year of other training experience acceptable to the board, such as supervised professional experience under the direction of a psychologist licensed in Oregon, or under the direction of a person considered by the board to have equivalent supervisory competence; and

(e) Furnishes proof acceptable to the board of at least 36 months, exclusive of internship, of full-time experience satisfactory to the board under the direct supervision of a licensed psychologist in Oregon, or under the direct supervision of a person considered by the board to have equivalent supervisory competence.

Passed by Senate February 2, 2005

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Secretary of Senate

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President of Senate

Passed by House March 7, 2005

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Speaker of House

Received by Governor:

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Approved:

.....M,....., 2005

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Governor

Filed in Office of Secretary of State:

.....M,....., 2005

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Secretary of State