

UNLICENSED PRACTICE FAQ

OREGON BOARD OF PSYCHOLOGIST EXAMINERS

The statutes relating to the unlicensed practice of psychology are listed at the end of this document for reference.

1) Question: What does it mean to represent myself as a psychologist?

Answer: Generally, you cannot say that you are a psychologist unless you are a licensed psychologist. To *represent* oneself as a psychologist means to use a title such as “psychologist” or to say that you provide psychology services. Representation can be verbal or in print form. Examples:

- a. *“I’m a psychologist” or “I practice psychology”*
- b. *“I’m a psychotherapist” or “I practice psychotherapy”*
- c. *“My profession is psychology”*
- d. *“My treatment orientation is Jungian psychotherapy”*
- e. *“I provide psychological services”*
- f. *“My specialties are depression, anxiety, ADHD...”*¹
- g. *A business named “Frank’s Psychotherapy Clinic”*

2) Question: I work at a college and supervise students who are providing psychotherapy services. Do I need to be licensed?

Answer: Yes. You may not supervise students or anybody else who is providing direct psychological services to individuals unless you are a licensed psychologist or you fall under another exemption (for example, if you are licensed by another mental health licensing board; see question 6 below).

3) Question: I teach psychology at a university. Can I call myself a psychologist?

Answer: Yes, but only if you have a doctoral degree in psychology from an approved doctoral program in psychology². You do not need to be licensed to teach psychology.

4) Question: I am a researcher who writes journal articles and books on the subject of psychology. Can I call myself a psychologist?

Answer: Yes, but only if you have a doctoral degree in psychology from an approved doctoral program in psychology.

5) Question: I am a student working towards my psychology degree. Can I practice psychology?

Answer: You may provide psychological services if you are a student in an approved doctoral program. You can only use the title “psychological trainee” or “psychological intern.” Once you graduate, you can practice only after you have applied for licensure and have entered into a Board-approved Resident Supervision Contract. Once you have an approved contract, you may call yourself a “psychological resident” (doctorate level) or a “psychologist associate resident” (masters level).

6) Question: I am licensed by another mental health licensing board. Can I practice psychology?

Answer: You may not use the title “psychologist,” but you may render some psychological services, so long as you only practice within the lawful scope of your license. Examples include:

¹ A person may not advertise or provide services for a “disorder” listed in the most current revision of the Diagnostic and Statistical Manual of Mental Disorders (e.g., DSMIV-TR). Lay terms such as abuse, overeating, trauma, and addiction, as well as lay terms for depression and anxiety (e.g., grief, moody, fear, worry etc.) are not considered diagnoses and are too general to treat as the specific practice of psychology.

² An “approved” program means that it is either accredited by the American Psychological Association (APA) or regionally accredited by the Northwest, North Central, Western, New England, Middle States, or Southern accrediting association.

- ★ An LPC or LPC approved applicant (or intern), by the Oregon Board of Licensed Professional Counselors and Therapists.
- ★ An LMFT or LMFT approved applicant (or intern), by the Oregon Board of Licensed Professional Counselors and Therapists.
- ★ An LCSW or CSWA or approved applicant of either, by the Oregon Board of Clinical Social Workers.
- ★ A School Psychologist licensed by the Teacher Standards and Practices Commission

7) Question: I work for a drug and alcohol treatment program. Do I need to be licensed to treat drug and alcohol addiction?

Answer: If the drug and alcohol treatment program that you work for is approved by DHS Addictions and Mental Health Services, then you may provide the services that DHS has approved for that particular program. Click here for the [directory](#). You may only practice within the scope of your employment at the program, and you may not provide those services in private practice. If you are a contractor or independent contractor providing services to a drug and alcohol treatment program that is approved by DHS Addictions and Mental Health Services, you may provide similar services so long as you are subject to the program's regulation and supervision and your work is authorized and paid for by the program.

8) Question: I am a pastor at my church, and I provide some psychological services to church members. Do I need to be licensed?

Answer: No. There is an exception for clergy, so long as you only provide services within that capacity. For example, you may not provide services in private practice without a license.

9) Question: I am a certified alcohol and drug counselor (CADC). Can I provide psychological services?

Answer: Because the Addiction Counselor Certification Board of Oregon is a non-governmental agency, an individual with a CADC certification is not exempt from the psychologist licensing requirement. A CADC certification alone does not allow a person to treat or diagnose behavioral, emotional or mental disorders, including alcohol or drug addiction. But, if you work for a certified drug and alcohol treatment program, you may treat alcohol and/or drug abuse (see Q. 7 above).

10) Question: I am a qualified mental health professional (QMHP). Can I provide psychological services?

Answer: Employees of [community mental health programs](#) may render some psychological services, but may only practice within their lawful scope of employment. You may not provide psychological services in private practice unless otherwise exempted.

11) Question: I work for non-inpatient mental health services provider. Can I provide psychological services?

Answer: No. This certification alone does not allow a clinic's employees to treat or diagnose behavioral, emotional or mental disorders, including alcohol or drug addiction, without a license. The non-inpatient mental health services provider is a certificate issued by DHS, Addictions and Mental Health, for insurance billing purposes.

OREGON BOARD OF PSYCHOLOGIST EXAMINERS- STATUTES RELATING TO THE UNLICENSED PRACTICE OF PSYCHOLOGY

675.010 Definitions for ORS 675.010 to 675.150. As used in ORS 675.010 to 675.150, unless the context requires otherwise:

. . . .
(3) “Licensed psychologist” means a person licensed to practice psychology under the provisions of ORS 675.010 to 675.150.

(4) “Practice of psychology” means rendering or offering to render supervision, consultation, evaluation or therapy services to individuals, groups or organizations for the purpose of diagnosing or treating behavioral, emotional or mental disorders. “Practice of psychology” also includes delegating the administration and scoring of tests to technicians qualified by and under the direct supervision of a licensed psychologist.

675.020 Practice or representation as psychologist prohibited without license; use of business name or designation. (1) To safeguard the people of the State of Oregon from the dangers of unqualified and improper practice of psychology, no person shall, unless exempted from the provisions of ORS 675.010 to 675.150 by ORS 675.090:

- (a) Practice psychology in this state without first being licensed under ORS 675.010 to 675.150; or
- (b) Represent oneself to be a psychologist without first being licensed under ORS 675.010 to 675.150.

(2) As used in subsection (1)(b) of this section, “represent oneself to be a psychologist” means to use any title or description of services incorporating the words “psychology,” “psychological,” “psychotherapy” or “psychologist,” or to offer or render to individuals or to groups of individuals services included in the practice of psychology.

(3) A psychologist licensed under ORS 675.010 to 675.150 shall practice under the name of the psychologist only, but nothing in ORS 675.010 to 675.150 or rules adopted thereunder shall be deemed to prevent a licensed psychologist from using an assumed business name or other designation to describe a place, institution, organization or agency where or in connection with which the psychologist conducts practice.

675.070 Authorized sanctions; grounds for imposing sanctions; civil penalty. (1) Where any of the grounds enumerated in subsection (2) of this section exist, the State Board of Psychologist Examiners may impose any of the following sanctions:

. . . .
(g) Impose a civil penalty as set forth in subsection (3) of this section.

(2) Grounds exist for imposition of any of the sanctions enumerated in subsection (1) of this section against any psychologist or psychologist associate or applicant, or, where applicable, any unlicensed person found in violation of ORS 675.010 to 675.150, when, in the judgment of the board, the person:

. . . .
(e) Has practiced or attempted to practice medicine without being licensed to do so;

. . . .
(g) Has impersonated a licensed psychologist or psychologist associate or has allowed another person to use the license of the psychologist;

(h) Has violated any provision of ORS 675.010 to 675.150 or any provision of the code of professional conduct formulated under ORS 675.110 (12)...

. . . .
(3) The board may impose a civil penalty under subsection (1) of this section:

(a) In an amount not to exceed \$5,000; or

(b) In an amount not to exceed \$10,000, if any of the following conditions exist:

(E) The person subject to the penalty violated ORS 675.020 by practicing psychology or representing that the person is a psychologist without having a license.

675.090 Application of ORS 675.010 to 675.150. (1) ORS 675.010 to 675.150 do not apply to:

(a) A person who teaches psychology, conducts psychological research or provides consulting services to an organization or institution provided that the teaching, research or consulting services do not involve the delivery or supervision of direct psychological services to individuals who are themselves, rather than a third party, the beneficiaries of the services, regardless of the source or extent of payment for the services rendered. Nothing in ORS 675.010 to 675.150 shall prevent the provision of expert testimony by psychologists who are otherwise exempted by this subsection. A person performing the functions authorized by this paragraph may use the title “psychologist” only if the person holds a doctoral degree in psychology from an approved doctoral program in psychology.

(b) A person who is either:

(A) A matriculated graduate student pursuing a graduate degree in professional psychology at an approved doctoral program in psychology;

(B) A student pursuing postdoctoral training or experience in professional psychology, including a person seeking to fulfill the licensure requirements established in ORS 675.010 to 675.150; or

(C) A person pursuing certification or licensure or a graduate degree in any of the certified or licensed professions otherwise exempted from ORS 675.010 to 675.150.

(c) A person who is licensed or certified by the State of Oregon to provide mental health services, provided that the services are rendered within the person’s lawful scope of practice and that the person does not use the title “psychologist” in connection with the activities authorized in this paragraph.

(d) A person who is licensed, certified or otherwise authorized by the State of Oregon to render professional services, provided that the services are rendered within the person’s lawful scope of practice and that the person does not use the title “psychologist” in connection with the activities authorized under this paragraph.

(e) A person who is employed by a local, state or federal government agency, or employed by a community mental health program or drug and alcohol treatment program licensed or certified by the State of Oregon to the extent that the person’s activities and services are rendered within the person’s scope of employment and are performed within the confines of the employing agency and provided that the person does not use the title “psychologist” in connection with the activities authorized under this paragraph.

(f) A person who is a recognized member of the clergy, provided that the person is acting in the person’s ministerial capacity and does not use the title “psychologist.”

(g) A person who has credentials as a school psychologist if the person is an employee of an educational institution and restricts the person’s practice to activities within a school setting. A person acting under this paragraph may use the title “school psychologist.”

(2) A person described in subsection (1)(b) of this section may use the title “psychological trainee,” “psychological intern,” “psychologist resident” or “psychologist associate resident” if the person is pursuing the education or training described in subsection (1)(b) of this section under the supervision and responsibility of a licensed psychologist in accordance with the rules adopted by the State Board of Psychologist Examiners.

(3) Nothing in this section shall exempt from ORS 675.010 to 675.150 a person whose license to practice psychology is revoked or suspended because the person engaged in sexual activity with a client.

675.150 Enforcement procedures. The State Board of Psychologist Examiners may institute and commence injunction proceedings in any circuit court in Oregon to enjoin the unlawful practice of psychology. In any such proceeding it shall not be necessary to show that any person is individually injured by the actions complained of. If the person complained of is found by the court to have

unlawfully engaged in practice of psychology, the court may enjoin the person from so practicing. Procedure in such cases shall be the same as any other injunction suit. The remedy by injunction hereby given is in addition to criminal prosecution and punishment. [1973 c.777 §13]

675.990 Penalties. (1)(a) Violation of any provision of ORS 675.010 to 675.150 is a Class C misdemeanor.

(b) Notwithstanding paragraph (a) of this subsection, violation of ORS 675.020 is a Class A misdemeanor.