



NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 331
OREGON HEALTH AUTHORITY
HEALTH LICENSING OFFICE

FILED

10/23/2025 9:37 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Art Therapy Program is adding a provisional licensed art therapist authorization and other licensure requirements

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 12/02/2025 12:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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Filed By:
Anne Thompson
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 12/02/2025

TIME: 11:00 AM - 12:00 PM

OFFICER: Anne Thompson

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 1-971-277-2343

CONFERENCE ID: 2332397818391

NEED FOR THE RULE(S)

House Bill 3761 (2025) added the provisional licensed art therapist authorization and added requirements to other Art Therapy Program authorizations.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Oregon Revised Statutes and House Bill 3761; both are available through the Oregon Legislature and the Health Licensing Office

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The rules will increase access to services and there be more providers. There will be higher quality services due to supervision requirements. House Bill 3761 (2025) mentions reimbursement, which will help providers and clients. Art therapists provide a skill set that helps clients with language difficulties and neurocognitive challenges.

FISCAL AND ECONOMIC IMPACT:

There will be extra work for the Health Licensing Office (HLO) to issue and administer the provisional licensed art therapist. But it will reduce the fiscal burden on the qualified mental health professional (QMHP) program, because they won't have to oversee the provisional licensees anymore as they will have licensing and supervision through the HLO. The provisional license will help new professionals in the field as it is a path to more compensation.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

The Health Licensing Office will be impacted, as will the QMHP program. If members of the public are seeking the provisional licensed art therapist authorization, there will be costs associated with that. The provisional authorization holders will have to document their time and professional activities, as this supervised experience is required to ultimately get the licensed art therapist or licensed certified art therapist authorizations. The cost of compliance is unknown at this time.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

The requirements are set in House Bill 3761, and the rules were developed with a rules advisory committee (RAC). Members of the RAC may be or know small business owners.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:

331-375-0005, 331-375-0010, 331-375-0020, 331-380-0020, 331-380-0025, 331-380-0026, 331-380-0028, 331-380-0029, 331-380-0030, 331-385-0010, 331-385-0020, 331-390-0010

ADOPT: 331-375-0005

RULE SUMMARY: The Health Licensing Office accepts these credentials from the Art Therapy Credentials Board, Inc.

CHANGES TO RULE:

331-375-0005

OFFICE APPROVALS

The Health Licensing Office approves the following:¶

(1) Programs accepted by Art Therapy Credentials Board, Inc. (ATCB), before and as of November 1, 2025.¶

(2) The requirements to be credentialed as a registered art therapist by the ATCB, before and as of November 1, 2025.¶

(3) The requirements as a board certified art therapist by the ATCB, before and as of November 1, 2025.¶

(4) The requirements as a provisional registered art therapist by the ATCB, before and as of November 1, 2025.

Statutory/Other Authority: ORS 681.740, 681.743, 681.746, 681.749, 681.752, 681.755, 681.758, 676.992,

House Bill 3761 (2025)

Statutes/Other Implemented: ORS 681.740, 681.743, 681.746, 681.749, 681.752, 681.755, 681.758, 676.992,

House Bill 3761 (2025)

AMEND: 331-375-0010

RULE SUMMARY: Adding definitions to the Art Therapy Program due to House Bill 3761 (2025).

CHANGES TO RULE:

331-375-0010

DEFINITIONS

The following definitions apply to OAR 331-375-0010 to OAR 331-395-0010:¶

(1) "Art Therapist" means a licensed art therapist~~or, a licensed certified art therapist, or a provisional licensed art therapist~~ as those terms are defined in ORS 681.740.¶

(2) "ATCB" means the Art Therapy Credentials Board, Inc.¶

(3) "ATCS" means the Art Therapy Credentialed Supervisor by the Art Therapy Credentials Board, Inc.¶

(4) "ATR" means Registered Art Therapist by the Art Therapy Credentials Board, Inc.¶

(45) "ATR-BC" means Board Certified Art Therapist by the Art Therapy Credentials Board, Inc.¶

(56) "ATR-P" means a Provisional Registered Art Therapist by the Art Therapy Credentials Board, Inc.¶

(7) "Good standing" means no unresolved or outstanding disciplinary actions.¶

(68) "Licensure year" means a year that begins on the last day of the month that the licensee was originally licensed and extends for the following 364 days.¶

(79) "Office" means the Health Licensing Office.¶

(10) "Provisional licensed art therapist" (PLAT) means a person who is licensed by the Office to practice art therapy under ORS 681.740 as defined in House Bill 3761, Section 3 (2025).

Statutory/Other Authority: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761

Statutes/Other Implemented: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761

AMEND: 331-375-0020

RULE SUMMARY: Adding fees for the provisional licensed art therapist to the Art Therapy Program

CHANGES TO RULE:

331-375-0020

FEES

(1) An applicant or authorization holder is subject to the provisions of OAR 331-010-0000 through OAR 331-010-0070, including OAR 331-010-0010 and OAR 331-010-0020 regarding the payment of fees, penalties and charges.¶¶

(2) Fees established by the Office pursuant to ORS 676.592 are:¶¶

(a) ~~Application: \$150.¶¶~~

~~(b) License: \$50 - valid for one licensure year.¶¶~~

~~(c) Licensed art therapist:¶¶~~

~~(A) Application: \$150.¶¶~~

~~(B) License: \$50 - valid for one licensure year.¶¶~~

~~(C) Renewal: \$50 - valid for one licensure year.¶¶~~

~~(b) Licensed certified art therapist:¶¶~~

~~(A) Application: \$150.¶¶~~

~~(B) License: \$50 - valid for one licensure year.¶¶~~

~~(C) Renewal: \$50 - valid for one licensure year.¶¶~~

~~(c) Provisional licensed art therapist:¶¶~~

~~(A) Application: \$150 ¶¶~~

~~(B) License: \$50 - valid for one licensure year.¶¶~~

~~(C) Renewal: \$50 - valid for one licensure year.-¶¶~~

~~(d) Fingerprint fee for background check: \$50¶¶~~

~~(e) Replacement: \$25.-¶¶~~

~~(ef) Late fee: \$40 for each year of inactive status up to three years.¶¶~~

~~(fg) Affidavit of licensure, as defined in OAR 331-030-0040: \$50.-¶¶~~

~~(gh) Administrative fee: \$25.~~

Statutory/Other Authority: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761

Statutes/Other Implemented: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761

AMEND: 331-380-0020

RULE SUMMARY: Requirements for licensed art therapist license

CHANGES TO RULE:

331-380-0020

APPLICATION REQUIREMENTS FOR INITIAL LICENSURE AS AN LICENSED ART THERAPIST

The Office will enter all licensed art therapist authorization holders and their status into its licensure database, which is available to the public. An individual applying for initial licensure as an licensed art therapist must:

(1) Meet the requirements of OAR 331 Division 30.

(2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000.

(3) Be at least 18 years old.

(4) Have received at least a master's degree from a program accepted by the ATCB.

(5) Arrange for official documentation to be sent to the Office ~~directly from the certifying organization proving that the applicant meets the qualifications at the date of application:~~

~~(a) Be certified by the ATCB from the ATCB proving that the applicant meets the requirements to be certified as an ATR; or~~

~~(b) Possess the qualifications to be credentialed as an ATR.~~

~~(6) Pass a fingerprint-based nationwide criminal records check pursuant to OAR 331-030-0004.~~

~~(7) Pay all fees~~ (8) Pay all fees.

(9) Beginning January 1, 2028, applicants must submit proof of having two years of supervised mental health practice as a PLAT as described in HB 3761 (2025). Applicants must:

(a) Submit proof of having a PLAT from the Office for 24 months with no outstanding disciplinary action; or

(b) Arrange for official documentation from the ATCB that the individual had a ATR-P or ATR for 24 months prior to date of application.

Statutory/Other Authority: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761

Statutes/Other Implemented: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761

AMEND: 331-380-0025

RULE SUMMARY: Requirements for licensed certified art therapist license

CHANGES TO RULE:

331-380-0025

APPLICATION REQUIREMENTS FOR INITIAL LICENSURE AS A LICENSED CERTIFIED ART THERAPIST

The Office will enter all licensed certified art therapist authorization holders and their status into its licensure database, which is available to the public. An individual applying for initial licensure as a licensed certified art therapist must:¶

- (1) Meet the requirements of OAR 331 Division 30.¶
- (2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000.-¶
- (3) Be at least 18 years old.¶
- (4) Have received at least a master's degree from a program accepted by the ATCB.¶
- (5) Arrange for official documentation to be sent to the Office directly from the ~~certifying organization~~ ATCB proving that the applicant ~~m~~:¶
- ~~(a) Meets the qualifications at the date of application:¶~~
- ~~(a) Be certified by the ATCB as an ATR-BC~~ requirements as an ATR-BC by the date of application; or¶
- (b) Possesses the qualifications to be credentialed as an ATR-BC.-¶
- (6) Pass a fingerprint-based nationwide criminal records check pursuant to OAR 331-030-0004.¶
- (7) Pay all fees.¶
- (8) Beginning January 1, 2028, applicants must submit proof of having two years of supervised mental health practice as a provisional licensed art therapist as described in House Bill 3761 (2025). Applicants must:¶
- (a) Submit proof of having a PLAT from the Office for 24 months with no outstanding disciplinary action; or¶
- (b) Arrange for official documentation from the ATCB that the individual had a ATR-P, or ATR, or ATR-BC for 24 months prior to date of application.

Statutory/Other Authority: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761

Statutes/Other Implemented: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761

ADOPT: 331-380-0026

RULE SUMMARY: Adds the new provisional licensed art therapist to the Art Therapy Program

CHANGES TO RULE:

331-380-0026

APPLICATION REQUIREMENTS FOR INITIAL LICENSURE AS A PROVISIONAL LICENSED ART THERAPIST

The Office will enter all art therapist authorization holders and their status into its licensure database, which is available to the public. An individual applying for initial licensure as a provisional licensed art therapist must:

- (1) Meet the requirements of OAR 331 Division 30.
 - (2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000.
 - (3) Be at least 18 years old.
 - (4) Have received at least a master's degree from a program accepted by the ATCB.
 - (5) Arrange for official documentation to be sent to the Office directly from the ATCB proving that the applicant meets the requirements as an ATR-P by the date of application.
 - (6) Pass a fingerprint-based nationwide criminal records check pursuant to OAR 331-030-0004.
 - (7) Pay all fees.
 - (8) Have a supervisory relationship and submit documentation of the supervisory relationship on an HLO form. A supervisor must:
 - (a) Be an active licensed art therapist in good standing from the Office for 36 months; or
 - (b) Be an active licensed certified art therapist in good standing from the Office; or
 - (c) Be an active ATCB Art Therapy Credentialed Supervisor.
 - (9) A Provisional Licensed Art Therapist is good for one year and can be renewed.
- Statutory/Other Authority: ORS 681.740-681.758, 676.992, 2025 House Bill 3761
- Statutes/Other Implemented: ORS 681.740-681.758, 676.992, 2025 House Bill 3761

REPEAL: 331-380-0028

RULE SUMMARY: Repealing the reciprocity licensure pathway for the Art Therapy Program

CHANGES TO RULE:

~~331-380-0028~~

~~LICENSURE BY RECIPROCITY FOR INITIAL LICENSURE AS AN ART THERAPIST~~

~~An individual applying for initial licensure as an art therapist must:~~

- ~~(1) Meet the requirements of OAR 331-Division 30.~~
- ~~(2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000.~~
- ~~(3) Be at least 18 years old.~~
- ~~(4) Has received at least a master's degree from a program accepted by the ATCB.~~
- ~~(5) Arrange for official documentation to be sent to the Office directly from the certifying organization proving that the applicant meets the qualifications at the date of application:~~
 - ~~(a) Is certified by the ATCB as an ATR; or~~
 - ~~(b) Possesses the qualifications to be credentialed as an ATR.~~
- ~~(6) Be in good standing in every state in which they are licensed or certified.~~
- ~~(7) Ensure that the Office receives an affidavit of licensure for each state in which they are licensed or certified, pursuant to OAR 331-030-0040.~~
- ~~(8) Pass a fingerprint-based nationwide criminal records check pursuant to OAR 331-030-0004.~~
- ~~(9) Pay all fees.~~

~~Statutory/Other Authority: ORS 681.740-681.758, 2019 Senate Bill 29~~

~~Statutes/Other Implemented: ORS 681.740-681.758, 2019 Senate Bill 29~~

REPEAL: 331-380-0029

RULE SUMMARY: Repealing the licensure pathway for the licensed certified art therapist

CHANGES TO RULE:

~~331-380-0029~~

~~LICENSURE BY RECIPROCITY FOR INITIAL LICENSURE AS A CERTIFIED ART THERAPIST~~

~~An individual applying for initial licensure as a certified art therapist must:~~

- ~~(1) Meet the requirements of OAR 331 Division 30.~~
- ~~(2) Submit a completed application form prescribed by the Office, which must contain the information listed in OAR 331-030-0000.~~
- ~~(3) Be at least 18 years old.~~
- ~~(4) Have received at least a master's degree from a program accepted by the ATCB.~~
- ~~(5) Arrange for official documentation to be sent to the Office directly from the certifying organization proving that the applicant meets the qualifications at the date of application:~~
 - ~~(a) Be certified by the ATCB as an ATR-BC; or~~
 - ~~(b) Possess the qualifications to be credentialed as an ATR-BC.~~
- ~~(6) Be in good standing in every state in which they are licensed or certified.~~
- ~~(7) Ensure that the Office receives an affidavit of licensure for each state in which they are licensed or certified, pursuant to OAR 331-030-0040.~~
- ~~(8) Pass a fingerprint-based nationwide criminal records check pursuant to OAR 331-030-0004.~~
- ~~(9) Pay all fees.~~

~~Statutory/Other Authority: ORS 681.740-681.758, 2019 Senate Bill 29~~

~~Statutes/Other Implemented: ORS 681.740-681.758, 2019 Senate Bill 29~~

AMEND: 331-380-0030

RULE SUMMARY: Licensure and renewal requirements for the Art Therapy Program

CHANGES TO RULE:

331-380-0030

LICENSURE ISSUANCE AND RENEWAL

(1) Licensure and renewal: ~~Both~~All licenses are subject to the provisions of OAR Chapter 331, Division 30 regarding the issuance and renewal of a license, provisions regarding authorization to practice, identification, and requirements for issuance of a duplicate license.¶

(2) License renewal: To avoid late penalties, licenses must be renewed before the license becomes inactive as described in section (3) of this rule. The licensee must:-¶

(a) Submit a renewal application form;-¶

(b) Attest to having obtained the continuing education pursuant to 331-385-0010;¶

(c) Pass a state criminal background check pursuant to OAR 331-030-0004; and-¶

(d) Pay the renewal fee pursuant to OAR 331-375-0020;-¶

(3) Renewal when license is inactive: ORS 676.580 defines an "active authorization" as an authorization that is current and not suspended, and an "inactive authorization" as an authorization that has not been current for three years or less. An inactive license does not authorize its holder to practice art therapy or use the title or designation of Licensed Art Therapist, Licensed Certified Art Therapist or Provisional Licensed Art Therapist. To renew an inactive license, the authorization holder must:-¶

(a) Submit a renewal application form;-¶

(b) Attest to having obtained the continuing education pursuant to OAR 331-385-0010;¶

(c) Pass a state criminal background check pursuant to OAR 331-030-0004; and¶

(d) Pay the late and renewal fees pursuant to OAR 331-375-0020.-¶

(4) Expired license: A license that has been inactive for more than three years is expired, and the licensee must reapply for licensure and meet the current requirements.

Statutory/Other Authority: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761

Statutes/Other Implemented: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761

AMEND: 331-385-0010

RULE SUMMARY: Continuing education requirements for licensed art therapists and licensed certified art therapists

CHANGES TO RULE:

331-385-0010

CONTINUING EDUCATION FOR LICENSED ART THERAPISTS AND LICENSED CERTIFIED ART THERAPISTS

- (1) To maintain authorization, licensed art therapists and licensed certified art therapists must complete a minimum of 8 hours of continuing education every authorization year.¶
- (2) To maintain authorization, licensed certified art therapists must complete a minimum of 12 hours of continuing education every authorization year.¶
- (3) Credit hours obtained in excess of those required for the one-year reporting period cannot be carried forward or used to reinstate an inactive authorization.¶
- (4) Continuing education for all authorization holders must address subject matter related to one or more of the following domains:¶
- (a) Psychotherapeutic theories and practice;¶
 - (b) Art therapy assessment;¶
 - (c) Crisis intervention;¶
 - (d) Risk assessment;¶
 - (e) Client populations, ~~multicultural competence~~ intersectional humility, and social action;¶
 - ~~(d)~~ Professional development;¶
 - ~~(e)~~ Art therapy and expressive media; ~~or~~¶
 - (h) Program management; ¶
 - ~~(f)~~ Ethics; ~~or~~¶
 - (j) Clinical supervision.¶
- (5) Continuing education hours do not include travel time to or from the training site, registration or check-in periods, networking, introductions or welcome messages, orientation to the agenda, overviews of the day, breaks, lunches or wrap up of the day.-¶
- (6) ~~Self-study, r~~ Research, authorship, or teaching does not count toward CE credit for renewal of the authorization.¶
- (7) At renewal, each authorization holder must document compliance with the continuing education requirements through attestation on the authorization renewal application.¶
- (8) Continuing education requirements apply whether the applicant renewing authorization is living or working within Oregon or outside of the state, so long as Oregon authorization is maintained.¶
- (9) Continuing education requirements remain in effect during the time authorization is inactive. If an inactive authorization is renewed, authorization holder must attest to having fulfilled all continuing education hours required during the inactive time period.

Statutory/Other Authority: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761

Statutes/Other Implemented: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761

AMEND: 331-385-0020

RULE SUMMARY: Continuing education requirements for the Art Therapy Program

CHANGES TO RULE:

331-385-0020

CONTINUING EDUCATION AUDIT

- (1) Obtaining and maintaining proof of participation in required continuing education is the responsibility of the authorization holder.¶
- (2) Documentation supporting compliance with continuing education requirements must be maintained for four years following renewal and must be available to the Office upon request.¶
- (3) The Office will audit a percentage of authorization holders to verify compliance with continuing education requirements.¶
- (4) Authorization holders selected for audit of continuing education will be notified in writing. Those selected for audit will have ~~45~~30 calendar days from the date of issuance of the notification to submit to the Office satisfactory documentation and evidence of participation and completion of required hours as describe in rule.¶
- (5) Satisfactory evidence of participation and completion may includes, but is not limited to:¶
 - (a) Proof of attendance (sign-in sheets, documentation from instructor).¶
 - (b) Certificate of completion showing number of CE hours.¶
 - (c) Name of sponsor, provider, organization, or instructor.¶
 - (d) Course agenda or syllabus.¶
 - (e) Course content description.¶
 - (f) Official transcript from an accredited college or university.¶
 - (g) Sponsor, provider, organization, or instructor statement (affidavit attesting to attendance, completion, certificate, diploma).¶
- (6) An authorization holder who fails to meet the required CE hours, within the previous renewal year, will receive a notice of intent (notice) to suspend their authorization to practice, a \$500 civil penalty ~~will be assessed for failure to meet the required CE hours will be assessed, a \$1000 civil penalty for falsifying information on the renewal form~~, and they must obtain the missing CE hours within three months from the date of issuance of the ~~notification~~final order. Completion of the missing CE hours will be in addition to the annual requirement for that authorization renewal year.¶
- (7) Satisfactory evidence of participation and completion of missing CE hours will need to be submitted to the Office to remove the suspension of the authorization to practice. Example: an authorization holder is required to take 12 hours of CE in the previous renewal year but only completed eight hours. The Office will issue notice, and the authorization holder will have three months from the date the notice becomes a final order to obtain the four additional hours and submit satisfactory evidence of participation and completion to the Office. The four additional hours will be in addition to the 12 hours required for the current authorization renewal year, for a total of 16 hours.-¶
- (8) Fraud, misrepresentation, concealment of material facts, or deception in any written or oral communication to the Office regarding continuing education requirements shall constitute grounds for disciplinary action. This may include, but is not limited to, assessment of a civil penalty and suspension or revocation of the authorization.
Statutory/Other Authority: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761
Statutes/Other Implemented: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761

AMEND: 331-390-0010

RULE SUMMARY: Standards of practice for the Art Therapy Program

CHANGES TO RULE:

331-390-0010

STANDARDS OF PRACTICE, PROFESSIONAL AND ETHICAL RESPONSIBILITY

(1) A licensed art therapist, licensed certified art therapist, and provisional licensed art therapist must:¶

(a) Comply with all applicable client confidentiality laws;¶

(b) Comply with all local, state and federal laws concerning the practice of art therapy;¶

(c) Abide by Part 1 sections 1 and 2 of the ATCB Code of Ethics, Conduct, and Disciplinary Procedures (revised April 21, 2018); a copy of which is available from the Office; and¶

(d) Abide by ORS 681.749 (2) and (3).-¶

(2) Licensees must show proof of valid license upon request or post the registration document in public view at the art therapist's primary workplace.¶

(3) A licensee must carry the license or post the official registration in plain view any time services are being provided.¶

(4) Failure to comply with these standards constitutes unprofessional conduct, and a licensee engaging in such conduct may be subject to discipline under ORS 676.612.

Statutory/Other Authority: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761

Statutes/Other Implemented: ORS 681.740-681.758, 2019 Senate Bill 29, 2025 House Bill 3761