

MINUTES

MONTANA SENATE  
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: By Chairman Hager, on January 23, 1989, at  
1:00 p.m. in Room 410.

ROLL CALL

Members Present: All members were present.

Members Excused: None.

Members Absent: None.

Staff Present: Tom Gomez, Legislative Council.

HEARING ON SENATE BILL 187

Presentation and Opening Statement by Sponsor: Senator H.W.  
"Swede" Hammond, District #9, explained the intent and  
purpose of the bill and said that it does not create a  
new licensing board; it only establishes a new category  
of licensure for masters level psychologist which would  
be under the jurisdiction of the Board of Psychology.  
Senator Hammond's written presentation is attached  
hereto.

List of Testifying Proponents and What Group they Represent:

Steve Waldron, Montana Health Centers;  
Mike McLaughlin, Board of Psychology;  
Monica Rekiel, Region II Mental Health Center;  
Don Toner, Region II Mental Health Center;

List of Testifying Opponents and What Group They Represent:

Dr. Richard Emery, Chairperson of the Board of  
Board of Psychologists;  
Dr. Hugh M. Black, Licensed Clinical Psychologist,  
Montana Psychological Association;  
Anne M. Pincus, PhD, Licensed Clinical Psychologist,  
Helena;  
Marcus Einhorn, Psy.D., Licensed Psychologist, Helena;  
Tom Posey, Alliance for the Mentally Ill;

Revel Miller, PhD, Licensed Clinical Psychologist,  
Helena;

Testimony:

Steve Waldron, Mental Health Centers, distributed testimony from two persons who could not be present at the hearing. These are attached as Exhibits #1 and #2. He said that these people who have earned their masters degree in psychology should be able to practice their profession. He said they were willing to agree that there is some need for these people to be under supervision for psychological testing evaluations but said the bill could be amended to state that the testing could be done by the masters level psychologist but must be signed by a PhD psychologist.

Mike McLaughlin, Board of Psychology, said he was the sole person on the board who voted to support this bill. He stated that there is a scarcity of these services in the state with only 125 licensed psychologists, 16 of which have a masters degree in the field of psychology and some of those have degrees outside the field of psychology. The bulk of the psychological testing evaluations are being done by masters level psychologists when people apply for Social Security benefits, the developmentally disabled, etc. Without licensing, these people will continue evaluations but they cannot be monitored by the Board.

Monica Rekiel, Mental Health Center, Great Falls, submitted written testimony which is attached as Exhibit #3.

Don Toner, Mental Health Center, Great Falls, appeared as a proponent of SB 187, and said it would be a needed recognition of their training. He stated he had worked at the Center for 10 years in individual, group and family therapy, psychological evaluation testing, working with children and also has testified in courts of law. He said it would provide a greater selection for clients and said it would be appropriate that people who have his qualifications should be licensed.

Dr. Richard Emery, Chairperson of the Board of Psychologists, said they do not oppose the concept of licensing masters level people but did oppose the passage of SB 187 as written. His written testimony is attached as Exhibit #4.

Hugh M. Black, Ph.D., submitted written testimony, Exhibit #5, and said the bill is confusing to the public.  
Anne M. Pincus,, Ph.D., also submitted her written

testimony, attached as Exhibit #6.

Marcus Einhorn, Psy.D., submitted his written testimony, Exhibit #7, which outlined his objections to the bill. He urged a do not pass for SB 187.

Tom Posey, Alliance for the Mentally Ill, also testified as an individual who is a consumer of the services said he was opposed not because he did not believe they should be licensed but it was important to protect the consumer who would not know the expertise of the person.

Revel Miller, Ph.D., distributed written testimony in opposition to SB 187 which is attached as Exhibit #8.

Questions From Committee Members: Senator Himsl questioned Mr. Waldron if there is any difference in the scope of the services they can perform. Mr. Waldron offered an amendment which would require that all psychological testing evaluations be co-signed by a licensed Ph.D.

Senator Rasmussen asked why the term "associate" rather than "psychologist." Mr. Waldron replied that the Ph.D.'s wanted some way to differentiate the educational level because not all licensed psychologists have a doctorate and some were grandfathered in. In answer to Senator Lynch, Mr. Waldron agreed that the public is already confused and in a court of law where a person purports himself to be an expert in his field, the general public or the jury would be unable to distinguish between the two levels.

Senator McLane asked if the proposed amendments had been discussed with Dr. Black. Dr. Black asked that they do away with the grandfather period, proposed that psychological associates be supervised in the area of testing and also add "psychology" wherever the bill refers to "Counseling and Clinical Psychology". He said he would have no problem with the bill if these things were added.

Senator Himsl asked if there was a fear of these people going into private practice is there some way of limiting them to mental health centers to which Dr. Black responded that the Board would be willing to discuss that point.

Senator Norman questioned if this bill is establishing, by licensure, a new professional person and asked Mr. Waldron if he was aware of SB 188, the sunrise bill.

Mr. Waldron said he was aware of it but felt the concern was over the proliferation of additional boards being created which this bill does not do.

Cliff Murphy, of the Mental Health Association, Public Policy Committee, who did not speak as a testifying witness at the appropriate time, raised the question of adequate training in the diagnosis and treatment of the mentally ill.

Closing by Sponsor: In closing, Senator Hammond said he had no background in dealing with psychologists other than as a school administrator. He also said that most of these problems are taken care of by the Administrative Code Committee but these people were unaware of that. He said that in his experience the degree level made no difference in the way these people were able to deal with the students.

#### HEARING ON SENATE BILL 182

Presentation and Opening Statement by Sponsor: Senator Tom Keating, District #44, said most people do not know what is and what is not covered in their insurance policies. He pointed out that about nine years ago the legislature required the companies to cover chemical dependency and the mentally ill and set a minimum of benefits for these two items. Now, ten years later, there are higher costs for these services so they are asking that the minimum be increased from \$4,000 to \$6,000 in a 24 month period for chemical dependency; there is a co-insurance adjustment and raising the mentally ill from \$1,000 to \$2,000. He informed the committee that there would some amendments proposed by the proponents, with the cooperation of the opponents.

#### List of Testifying Proponents and What Group they Represent:

Steve Waldron, Montana Council on Mental Health;  
Mona Jamison, Rocky Mountain Treatment Center, Chemical  
Dependency Treatment Center, Great Falls;  
Don Thorson, Montana Mental Health Association;  
Mike Rupert, Director of the Boyd Andrew Treatment  
Center, Helena;  
Ken Anderson, Flathead Chemical Dependency Center;  
Dennis Maerchlin, St. Patrick's Hospital Chemical  
Dependency Program of Montana  
Tom Posey, Alliance for the Mentally Ill;

Dave Cunningham, Rimrock Foundation, Billings;  
George Fenner, contractor to the Chemical Dependency  
Programs of Montana;  
Tanya Ask, Montana Insurance Department, Helena;

List of Testifying Opponents and What Group They Represent:

Tom Hopgood, Health Insurance Association of America;

Testimony:

Steve Waldron, Montana Council on Mental Health, strongly supported the bill.

Mona Jamison of the Rocky Mountain Treatment Center distributed proposed amendments to the committee members and said she had not spoken to the opponents but had worked them out with the providers and they do not oppose them. See Exhibit #9 attached.

Don Thorson, Montana Mental Health Association, spoke in favor of SB 182 and submitted proposed amendments, Exhibit #10 attached.

Mike Rupert, Director of the Boyd Andrew Treatment Center, appeared in support of the bill, saying that expenses have increased in the last nine years and this bill would be of great help to them.

Ken Anderson, Flathead Chemical Dependency Program, spoke in support of the bill.

Dennis Maerchlin, St. Patrick's Hospital Chemical Dependency Treatment Program, said he approved and supported the bill in that it would bring them up to date.

Tom Posey, Alliance for the Mentally Ill, explained his situation where his medication is \$894 above the cap now in place. He urged the committee to consider the amendments proposed by the Mental Health Association.

Dave Cunningham, Rimrock Foundation, submitted written testimony attached as Exhibit #11.

Tanya Ask, Montana Insurance Department, also distributed written testimony, along with proposed amendments. Exhibit #13 attached.

George Fenner, contract person with Chemical Dependency

programs of Montana submitted written testimony attached as Exhibit #12.

Tom Hopgood, Health Insurance Association of America, opposed mandatory coverage of any kind as it pushes the premiums up that have to be charged to the consumers. He presented Table 2 (Exhibit #14) showing premium consequences. He opposed the bill but did support the amendments that were proposed and asked for a do not pass on SB 182.

Questions From Committee Members: Senator Lynch asked Mona Jamison to clarify her proposed amendments, which she did. Senator Himsl referred to Ms. Jamison's amendments on page 2, line 19 to which she replied that she had consulted with Steve Waldron, Pat Melby of the Rimrock Foundation and Blue Cross-Blue Shield and they felt it was necessary that this would better define the term mental illness.

Senator Norman felt that this is an "all inclusive fog" and the psychiatrists don't know what it means. He asked if she would be willing to work with the committee and the staff person and just make it the D&SM Manual. She replied that she would be happy to work on any amendments.

Senator Rasmussen asked Mr. Hopgood if Blue Cross-Blue Shield was a member of his organization to which he responded that they were not. Steve Brown, representing Blue Cross-Blue Shield interjected that they did not oppose the bill.

Closing by Sponsor: In closing, Senator Keating said he had a concern about driving up the costs but did not know how much it would be. He said that people buy insurance with the idea that they are buying general coverage and don't know what is listed in their policy. He said this would be a benefit to a lot of people who need help and urged a do pass.

#### DISPOSITION OF SENATE BILL 146

Discussion: Senator Lynch was very concerned about the question of who assumes liability in these cases; the state or the individual. The question was asked at the hearing but the Department of Family Services representative could not answer the question. Senator Lynch felt that liability should be assumed by the person with whom the Department contracts the services but no one had any definitive answers. Chairman Hager

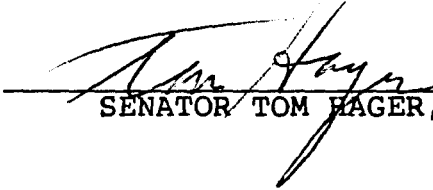
said he would contact the Department attorney.

Amendments and Votes: Senator Lynch moved the adoption of the proposed amendments; motion carried unanimously.

Recommendation and Vote: Chairman Hager will do further research on the liability question, therefore, no further action was taken.

ADJOURNMENT

Adjournment At: 2:50 p.m.

  
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SENATOR TOM HAGER, Chairman

TH/lis

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# MENTAL HEALTH CENTER

SENATE HEALTH & WELFARE

EXHIBIT NO. 1

DATE JAN. 23, 1989

BILL NO. SB187

River House  
337 Stephens Avenue  
Missoula, MT 59801  
January 23, 1989

Senate Public Health Committee  
State Capitol  
Helena, MT 59620

Dear Legislators:

My name is John Lynn and I write in support of LC668. I hold a Masters Degree in Psychology involving course work in learning theory, psychopathology, theories of personality, therapeutic techniques, assessment, research design, statistical analysis, and professional ethics. My Masters Program involved a nine month supervised practicum within a community mental health center and I was required to write a Masters thesis and defend it through an oral examination. While I acknowledge that the depth and breadth of this Masters Program is not equivalent to a PhD Program, I am proud of the professional caliber of the graduate study this program offered me.

I have worked for nearly fifteen years in the community mental health system, with the last eight and one half years as Director of a large treatment program for the seriously mentally ill in Missoula. I also work as the Regional Director of Aftercare Services for western Montana. This job entails making the decisions with the staff of Montana State Hospital as to which mentally ill individuals should return to the community and which are too ill or dangerous to be discharged. This position is ultimately responsible for the care and treatment of those individuals discharged to the western region. The position involves jail evaluations, court testimony, program development and staff supervision. It involves enormous responsibility and every ounce of clinical judgment my training and experience can bring to the position. My State Job Description is Psychologist IV and I am certified by the Department of Institutions as a Mental Health Professional Person for the State of Montana. But I can not be licensed as a Psychologist.

The State of Montana licenses Master level social workers and Master level counselors and regulates their practice through a professional Board. I've heard psychologists suggest that I apply for licensure as a Professional Counselor but I never have because I'm not a counselor. My training, professional identification, and affiliation are in the profession of Psychology, not Guidance and Counseling, Education, or Social Work. There are many individuals with a Masters Degree in Psychology currently practicing in the State of Montana with no regulation from the Board of Psychology. I strongly believe it is in the public interest to license and regulate the practice of these individuals to insure quality mental health care to the consumer of these services in Montana. I urge your recommendation for passage of this licensure bill.

Sincerely,

  
John Lynn, Regional Aftercare Director

FLATHEAD + LAKE + LINCOLN + MINERAL + MISSOULA + RAVALLI + SANSBOURNE

2  
MENTAL HEALTH CENTER

SENATE HEALTH & WELFARE

EXHIBIT NO. 2

DATE JAN. 23, 1989

BILL NO. SB 187

River House  
337 Stephens Avenue  
Missoula, MT 59801  
January 23, 1989

Senate Public Health Committee  
State Capitol  
Helena, MT 59620

Dear Legislators:

My name is Heidi Davis and I am writing in support of LC668. I am a recent graduate of the University of Notre Dame having received a Masters Degree in Counseling Psychology. The program at the University was extensive requiring coursework and a field practicum. The coursework I completed was: psychotherapy, psychological assessment, family and marital therapy, vocational counseling, research methods, women's issues, psychopathology, group dynamics, individual development and advanced seminars in counseling. The Masters Program also involved a nine month supervised practicum and the successful completion of a written comprehensive exam.

Although the Masters level program I completed is not as extensive as the Ph.D. program at the University of Notre Dame, I feel that it has adequately prepared me to work as a professional person in the field of psychology. At this time, the State of Montana does not regulate or license Master Level psychologists. I believe licensure would be in the best interest of the public and professional people in the social service field. It would allow for the setting of standards in offering services to the public and regulation of these services as well as being beneficial to professional people themselves who have achieved academic success and are skilled in psychology but are not yet recognized for this accomplishment. I encourage your recommendation for passage of this licensure bill.

Sincerely,

*Heidi A Davis, MA*

Heidi A. Davis, MA

I am here to represent the Golden Triangle Community Mental Health Center in regard to proposed BILL # 187 which allows for the licensure of individuals who hold a masters level degree in psychology. Individuals with such degrees who practice either privately or through a non-profit organization have thus far only had the opportunity to become licensed as counselors through the department of commerce. Those who hold masters degrees in social work, however have long had the opportunity and privilege to be licensed in Montana and other states. As a professional in the Mental Health field, I am aware that the training and expertise required to work as a therapist is at least equal to that of those who become licensed as social workers.

The Community Mental Health Centers in the state of Montana have always employed competent professionals to meet the needs of the thousands of truly needy individuals whose disabilities and/or income have prevented them from utilizing private professionals. My specific area of work in the Mental Health Center largely involves assessment and treatment of the chronically mentally ill. The clients needs include not only day treatment, but also therapy, case management, residential placement, and preparation for vocational readjustment and placement back into the community.

As many private Phd. Psychologist do not cater to those on limited incomes, our services are required to be as comprehensive as possible. As licensed professionals Master's level individuals would be able to provide such comprehensive services as psychological assessment and individual and group psychotherapy to better meet the needs of the community.

Specific requirements for such a certification will include supervision by a licensed Phd. Psychologist as well as adequate educational training and employment experience. Furthermore a licensing exam to cover necessary areas of training will be required for applicants to insure their competency.

In closing I would like to state that I have worked for the Golden Triangle Community Mental Health Center for 2 1/2 years. I have received supervision and performed such duties as mentioned and would like to be granted the right and privilege to be licensed as a professional in the state of Montana

I AM DR. RICHARD EMERY, CHAIRPERSON OF THE BOARD OF PSYCHOLOGISTS, SPEAKING ON BEHALF OF THE BOARD REGARDING SB187. THE BOARD OF PSYCHOLOGISTS IS NOT OPPOSED TO THE CONCEPT OF LICENSING MASTERS LEVEL PERSONS AS PSYCHOLOGISTS, HOWEVER, THE BOARD DOES NOT SUPPORT PASSAGE OF SB187 WRITTEN FOR THE FOLLOWING REASONS:

SENATE HEALTH & WELFARE

EXHIBIT NO. 4

DATE JAN. 23, 1989

BILL NO. SB187

1) THE GRANDFATHER PERIOD SPECIFIED IN THIS BILL ALLOWS LICENSURE PSYCHOLOGIST ASSOCIATES WITHOUT PASSING THE WRITTEN NATIONAL EXAMINATION CURRENTLY REQUIRED OF ALL PSYCHOLOGISTS PRIOR TO LICENSURE. THIS PROVISION PREVENTS ASSURANCE TO THE PUBLIC THAT ONLY QUALIFIED INDIVIDUALS ARE LICENSED AS PSYCHOLOGIST ASSOCIATES. A GRANDFATHER PERIOD, IN THIS CASE, IS NOT NECESSARY BECAUSE THESE INDIVIDUALS WILL NOT LOSE THEIR ABILITY TO FUNCTION AS THERAPISTS. THEY ARE CURRENTLY ELIGIBLE TO BECOME LICENSED AS LICENSED PROFESSIONAL COUNSELORS AND, IN FACT, MANY ALREADY ARE LICENSED BY THE BOARD OF SOCIAL WORK EXAMINERS AND PROFESSIONAL COUNSELORS. THERE IS NO PERCEIVED BENEFIT TO THE PUBLIC OR VALID REASON TO INCLUDE A GRANDFATHER PERIOD IN THIS BILL.

2) THE BOARD FEELS THAT THE TECHNICAL NATURE OF PSYCHOLOGICAL TESTING PERFORMED BY PSYCHOLOGISTS REQUIRES ONGOING SUPERVISION OF PSYCHOLOGIST ASSOCIATES BY LICENSED PSYCHOLOGISTS WHO HAVE THE ADDITIONAL EDUCATIONAL TRAINING BY VIRTUE OF THEIR DOCTORAL DEGREES. THE LEVEL OF EDUCATIONAL TRAINING REQUIRED IN THIS BILL SHOULD NOT ALLOW INDEPENDENT PRIVATE PRACTICE FOR PSYCHOLOGIST ASSOCIATES.

3) THE EDUCATIONAL REQUIREMENTS AS LISTED IN THIS BILL ARE UNCLEARLY WRITTEN. IT WAS THE UNDERSTANDING OF THE BOARD THAT ONLY THOSE PERSONS HAVING A DEGREE IN COUNSELING PSYCHOLOGY OR CLINICAL PSYCHOLOGY WERE TO BE LICENSED AS PSYCHOLOGIST ASSOCIATES. THE CURRENT BILL COULD BE INTERPRETED AS OFFERING LICENSURE AS A PSYCHOLOGIST ASSOCIATE TO PERSONS

WITH A MASTERS DEGREE IN COUNSELING WHICH IS VASTLY DIFFERENT THAN A DEGREE IN COUNSELING PSYCHOLOGY.

AS A POINT OF INFORMATION, THE TWO PUBLIC MEMBERS WHICH SERVE ON THIS BOARD VOTED NOT TO SUPPORT SB187 AS PRESENTED.

FOR THE ABOVE-NAMED REASONS, IN THE INTEREST OF THE PUBLIC WHICH IT SERVES, THE BOARD OF PSYCHOLOGISTS HOPES THAT YOU DO NOT PASS SB187 IN ITS PRESENT FORM.

Testifying: Hugh M. Black, Ph.D, Licensed Clinical Psychologist  
in private practice in Helena

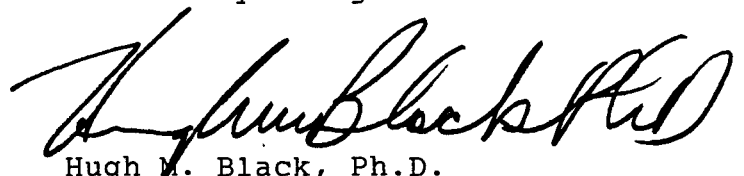
Representing: Montana Psychological Association

As presently written the bill is confusing to the public, as the designation "Psychologist Associate" is too difficult to differentiate from "Psychologist" but clearly means to refer to a lower level of training and theoretic instruction. It does not distinguish between a terminal Master's degree and one that may have been earned by a doctoral candidate who could not complete the program. It could be compared to designating as "Physician Associate" someone who was unable to complete medical school. Furthermore it is unnecessary and complicates the work of the Psychology Board of Examiners, as candidates can function as Licensed Professional Counselors.

As written the bill makes inadequate limitations to practice. In theory, a "Psychologist Associate" could possibly legally designate a suspect as incompetent to stand trial, something most Master's level programs do not provide even the background for training for. They could write Psychological Evaluations and so designate them, including personality assessments using projective measures that most Master's level programs provide little or no training in the use of. Various Master's level programs have inadequate supervised training, especially if it is not a terminal Master's degree program, and this bill could conceivably admit to practice as "Psychologist Associate" someone with little or no supervised training due to the "grandfathering" provision.

The Montana Psychological Association could support this bill if the following amendments were made:

1. The designation "Psychologist Associate" needs to be changed to "Psychological Assistant" to clearly designate the differentiation in level of training and avoid misleading the public.
2. The bill needs to declare that "Psychological Assistants" would function under the supervision of a licensed psychologist, with provisions made by the Psychology Board. The supervision requirement is in the laws of 14 of the 15 States that provide for a Master's level in their Psychology Bills.
3. "Counseling Psychology and Clinical Psychology" needs to be inserted wherever the bill reads "Counseling and Clinical Psychology" lest the bill open the door to a person with only a degree in counseling to practice as a "Psychological Assistant."



Hugh M. Black, Ph.D.  
Licensed Clinical Psychologist  
Montana License # 133

1-23-89

Re: SB 187

Public Health & Welfare Committee

SENATE HEALTH & WELFARE  
EXHIBIT NO. 6  
DATE Jan. 23, 1989  
BILL NO. SB 187

I am a Licensed Clinical Psychologist in MT,  
and I oppose this Bill for the following reasons:

1) Essence of the problem w/ SB 187 is a problem of Quality of Care for the consumer. Public is at risk because they cannot differentiate between a Masters level practitioner with title of Psychologist Associate vs a Psychologist with a Ph.D..  
*(95% of mt psychologists surveyed opposed this title)*

2) What is a Master's Level Psychologist?  
Who receives this MA/MS as a terminal degree\* and why?  
Answer:

- (a) indivs w/ 1-2 years post undergraduate training, *Ph.D.s have 4-6 years*
- (b) with training as technicians (or "psychometricians") capable of administering psych tests, or doing fairly concrete, problem-oriented counseling...
- (c) always intended for indivs <sup>planning</sup> to perform in the role of a psychological assistant (a better term, one currently used in many states.)
- (d) for persons who would practice only under ongoing supervision

(Note: of <sup>the</sup> 15 states who do currently license MA psychologists, only 1 does not have ongoing supervision as a requirement.)

Therefore, (c) master's level psychologist has very limited area(s) of competence something which the consumer cannot discern →

3) As SB 187 currently reads, there is nothing to keep the new masters level psychologists from:

- (a) practicing privately ; in a private practice
- (b) without supervision
- (c) and <sup>possibly</sup> outside their own (trained) areas of competence.

4) With the passage of SB 187, the public/consumers would be at risk to receive inappropriate or inadequate mental health tx or care

at the hands of a minimally trained technician who is often no more trained than our <sup>currently</sup> licensed professional counselors (LPC's)

but with title of psychological associate

would not be clearly distinguished from a Licensed Clinical Psychologist:

with a Ph.D.  $\frac{1}{2}$  more than 2x as much ~~training~~ training coursework, internship & practicum experience, ethical background, psychotherapy exposure, & education in all areas of therapy.

I request that you vote against SB 187.

Thank you.

Sincerely,

Anne M. Pincus, Ph.D.  
Licensed (141) Clinical Psychologist



MARCUS EINHORN, PSY.D.  
CLINICAL PSYCHOLOGY  
CLINICAL NEUROPSYCHOLOGY

SENATE HEALTH & WELFARE  
EXHIBIT NO. 7  
DATE JAN. 23, 1989  
BILL NO. SB 187

(406) 449-7240  
21 NORTH LAST CHANCE GULCH  
HELENA, MONTANA

MAILING ADDRESS  
P. O. BOX 1278  
HELENA, MT. 59624

Listed below is my testimony as to the reasons why the Public Health and Welfare Committee should vote against Senate Bill 187.

1. It is unnecessary. All of these people are already eligible for licensure as Professional Counselors. Many of them are already so licensed.

2. It would create extra work and expense for the Board of Psychology.

3. It dilutes the present psychology licensure law. This bill would indicate there is no difference between "psychologist associate" and psychologist except the title. There would be no recognition of the value of obtaining a doctorate degree in psychology.

4. The public would be at risk with the passage of this bill. People with Master's degrees do not receive sufficient training to practice psychology independently. A Master's degree requires approximately 1 1/2 years of academic training. In contrast, a doctoral level psychologist receives approximately 6 years of academic and supervised clinical training. The difference in time and training cannot be considered equivalent as this bill says to the public.

5. The legal system is at risk. As a psychologist who frequently testifies in criminal and other legal-judicial proceedings, the judges will have no way of discerning the difference between a Master's level psychologist and someone like myself with specialized training in forensic psychology. The concept of the expert witness will become a travesty.

6. Psychologists are the only mental health discipline with training is psychological testing. At the Master's level, individuals are merely exposed to this area. Technical study, training and supervision are provided only at the doctoral level. The Master's level psychologist is ill equipped to interpret and analyze psychological test results in a manner fitting with the standards of the American Psychological Association.

7. Master's level psychologists should necessarily be supervised by doctoral level psychologists just as physician assistants and

nurse practitioners are required to be supervised by physicians.

Please consider these issues carefully and then vote against Bill # 187.

Respectively submitted,

*Marcus Einhorn*

Marcus Einhorn, Psy.D.  
Licensed Psychologist #165  
Mental Health Professional Person #001

REVEL MILLER, PhD  
ANNE M. PINCUS, PhD  
Clinical Psychologists  
414 North Benton Avenue  
Helena, Montana 59601  
(406) 443-4211



## Turning Point

Center for Psychotherapy and Self-Discovery

January 23, 1989

I am a Ph.D licensed clinical psychologist with a private practice in Helena and I am opposed to SB 187. I do not believe that persons with a Masters degree in psychology should be granted a business license or the title of "psychologist associate". I have both a Masters degree and Doctoral degree and I know the difference between the two levels of training.

When I was in graduate school, the American Psychological Association was encouraging psychology graduate departments to discontinue their MA programs in favor of the more complete and professional training gained in doctoral programs. In order to get a Montana psychology license, an eligible candidate must have a doctoral degree, many hours of clinical supervision, and he/she must pass rigorous written and oral examinations. About one year ago the Board of Psychology defined the title of "psychologist" to include only those persons with a State license. This occurred because of multiple past abuses of this term by non-licensed persons calling themselves psychologists. This caused a great deal of confusion amongst consumers and put the public at risk. SB 187 is a reaction to this new definition by a handfull of M.A. level "psychologists" in public agencies and institutions because they have been stripped of their past title. There is probably little public support for this bill.

### I AM OPPOSED TO SB187 FOR THE FOLLOWING REASONS:

1) To create the title of "psychologist associate" would undermine the Board of Psychology's ruling and create more confusion amongst consumers. Don't dilute this reasonable and appropriate

definition of psychologist. "Psychologist associate" offers no advantage to the public nor to the approximately 110 existing licensed psycholgists.

2) M.A. level "psychologist associates" could not offer the same quality of service as Ph.D level psychologists. Persons with a masters degree have inferior training to Ph.D's. i.e. 2 years as opposed to 5 years of school training. M.A.'s have received less class work and supervision in the diagnosis, assessment and treatment of patients and they have little training in professional ethics. M.A.'s compare to Ph.D's like registered nurses to physicians; opticians to optometrists; or paralegals to lawyers. Consumers may be at higher risk due to this inferior level of competence.

3) Persons with a Masters degree in psychology have reasonable existing options. They may either return to graduate school to earn a Ph.D. (i.e. University of Montana) or they can obtain a State license as a Professional Counselor. They are eligible to become counselors and this title is more fitting to their level of training.

4) Allowing anyone to be "grandfathered" into acquiring a professional license is foolish. All eligible applicants should have to pass the same requirements as those that follow them.

Thank you for considering my opinions.

With all due respect,



REVEL MILLER, PhD  
Licensed Psychologist

SB 187  
1/23/89

SB 187

LICENSURE OF MASTERS LEVEL PSYCHOLOGISTS

LAST YEAR THE BOARD OF PSYCHOLOGISTS IMPLEMENTED RULES WHICH PREVENTED MASTERS LEVEL PSYCHOLOGISTS FROM CALLING THEMSELVES PSYCHOLOGISTS. MANY OF THESE MASTER DEGREE PSYCHOLOGISTS HAVE CALLED THEMSELVES PSYCHOLOGISTS FOR YEARS. NOW THE BOARD IS INSISTING THAT ONLY PH.D. LEVEL PSYCHOLOGISTS MAY BE LICENSED AND CALL THEMSELVES PSYCHOLOGISTS.

CONSEQUENTLY YOU HAVE BEFORE YOU SENATE BILL 187 WHICH PROVIDES FOR THE LICENSURE OF MASTERS LEVEL PSYCHOLOGISTS. THESE PROFESSIONALS, WHO HAVE A MASTERS DEGREE IN COUNSELING OR CLINICAL PSYCHOLOGY, ARE WELL TRAINED TO DO MENTAL THERAPY. HOWEVER, THERE CURRENTLY IS NO PROFESSIONAL LICENSING BOARD WHICH HAS OVERSIGHT OF THIS CLASS OF PROFESSIONAL PSYCHOLOGISTS.

FIRST IT SHOULD BE EMPHASIZED THAT SB 187 DOES NOT CREATE A NEW LICENSING BOARD. THE BILL ESTABLISHES A NEW CATEGORY OF LICENSURE FOR MASTERS LEVEL PSYCHOLOGIST WHICH WILL BE CALLED A "PSYCHOLOGIST ASSOCIATE." THESE MASTER DEGREE PSYCHOLOGISTS WILL BE UNDER THE JURISDICTION OF THE BOARD OF PSYCHOLOGY.

THERE ARE SOME LICENSED PSYCHOLOGISTS, MOST OF WHOM ARE PH.D. LEVEL PSYCHOLOGISTS, WHO HAVE RAISED STRONG OBJECTION TO MASTERS LEVEL PSYCHOLOGISTS BEING CALLED PSYCHOLOGISTS. SOME CLAIM THAT THE PUBLIC NEEDS TO BE ABLE TO DIFFERENTIATE THE DIFFERENT LEVEL OF EDUCATION BETWEEN A PH.D. AND A MASTERS DEGREE PSYCHOLOGIST. THUS WE HAVE USED THE TERM "PSYCHOLOGIST ASSOCIATE" FOR THE MASTERS LEVEL PSYCHOLOGIST TO HELP INDICATE THE DIFFERENT EDUCATIONAL

LEVEL. HOWEVER, IT SHOULD BE NOTED THAT THE MASTERS LEVEL PSYCHOLOGISTS IN THIS BILL ARE WELL PREPARED TO PRACTICE INDIVIDUAL AND GROUP THERAPY. IN ADDITION, MANY OF THE MASTERS LEVEL PSYCHOLOGISTS ACTUALLY HAVE MORE ACADEMIC TRAINING IN THE PRACTICE OF PSYCHOLOGY THAN SOME CURRENTLY LICENSED PSYCHOLOGISTS. IN FACT, MANY MASTER DEGREE PSYCHOLOGISTS HAVE BEEN DOING GOOD QUALITY MENTAL THERAPY IN MONTANA FOR YEARS. *Malta*

THE SECOND AREA OF CONTROVERSY APPEARS TO BE OVER THE SUPERVISION OF "PSYCHOLOGIST ASSOCIATES." THERE APPEARS TO BE SOME PH.D. PSYCHOLOGISTS WHO MAY WANT THIS COMMITTEE TO PLACE AMENDMENTS ON THE BILL TO MAKE THE PH.D. PSYCHOLOGISTS THE PERMANENT BOSSES OF MASTERS LEVEL PSYCHOLOGISTS. AND, I MIGHT ADD, REQUIRE A "PSYCHOLOGIST ASSOCIATE" TO PAY ABOUT \$70.00 PER HOUR TO A PH.D. PSYCHOLOGIST FOR KEEPING THEM UNDER THE PH.D.'S AUTHORITARIAN THUMB.

THE MORE MODERATE PH.D.'S HAVE INDICATED A CONCERN ONLY IN REGARD TO A MASTERS LEVEL "PSYCHOLOGIST ASSOCIATE" DOING PSYCHOLOGICAL TEST EVALUATION. CURRENTLY, WE HAVE MASTERS LEVEL PSYCHOLOGISTS IN MONTANA WHO HAVE DONE TESTING AND TEST EVALUATION FOR YEARS. HOWEVER, IN THE AREA OF PSYCHOLOGICAL TEST EVALUATION WE ARE PREPARED TO OFFER COMPROMISE LANGUAGE WHICH PROVIDES SOME OVERSIGHT BY A LICENSED PH.D. PSYCHOLOGIST. MR. WALDRON WILL DISCUSS THOSE AMENDMENTS LATER.

THERE APPEARS TO BE LESS CONTROVERSY IN THE REMAINING ELEMENTS OF SB 187. THE BILL WILL BECOME EFFECTIVE JANUARY OF 1990. THIS ALLOWS THE BOARD SUFFICIENT TIME TO PREPARE RULES TO LICENSE "PSYCHOLOGIST ASSOCIATES." CURRENTLY, THE BOARD OF PSYCHOLOGISTS

HAS FIVE MEMBERS, THREE LICENSED PSYCHOLOGISTS AND TWO PUBLIC MEMBERS. THE BILL ADDS TWO ADDITIONAL POSITIONS ON THE BOARD FOR LICENSED "PSYCHOLOGIST ASSOCIATES."

PERHAPS ONE OF THE MORE IMPORTANT ITEMS IN SB 187 IS THE REQUIREMENT FOR CONTINUING EDUCATION FOR NOT ONLY "PSYCHOLOGIST ASSOCIATES," BUT ALSO FOR LICENSED PSYCHOLOGISTS. PRESENTLY, LICENSED PSYCHOLOGISTS ARE THE ONLY LICENSED MENTAL HEALTH PROFESSIONALS WHO ARE NOT COMPELLED TO MEET CONTINUING EDUCATION REQUIREMENTS. SB 187 REQUIRES THE BOARD OF PSYCHOLOGY TO DEVELOP CONTINUING EDUCATION REQUIREMENTS BY OCTOBER 1, 1990 FOR BOTH "PSYCHOLOGIST ASSOCIATES" AND LICENSED PSYCHOLOGISTS.

THERE ARE SOME CLEAN UP AMENDMENTS TO THE LICENSURE LAW IN SB 187 AS WELL AS OTHER CHANGES TO INCLUDE BOARD JURISDICTION OVER MASTER LEVEL PSYCHOLOGISTS.

I URGE YOU TO CONSIDER A DO PASS MOTION FOR SB 187.

*Senator H.W. Hammond*  
*Senate Dist 9.*

1/23/89

MONTANA COUNCIL OF  
MENTAL HEALTH CENTERS

512 LOGAN  
HELENA, MT 59601

(406) 442-7808

MEMORANDUM  
12-22-88

TO: Interested Persons

FROM: Steve Waldron *Steve*

RE: LICENSURE OF M.A./M.S. PSYCHOLOGIST ASSOCIATES

Enclosed is a copy of the instructions for the legislative council staffer to use in the preparation of a bill to license masters level psychologists. The staffer will draft the proper legal language to meet the intent of the enclosed instructions.

This document is the result of input received from the Chairman and a staffer of the Board of Psychologists, other psychologists, and M.A./M.S psychologists who attended a meeting on December 20, 1988. Attendance at this meeting does not necessarily imply support or endorsement of licensure for psychologist associates by all those attending. However, there were several areas of agreement and some very good suggestions which were included in the document. Thanks to those who were able attend!

v5:ip122288.11c

REGION I  
EASTERN MONTANA COMMUNITY  
MENTAL HEALTH CENTER  
1819 MAIN STREET  
MILES CITY, MONTANA 59301  
(232-0234)

REGION II  
GOLDEN TRIANGLE COMMUNITY  
MENTAL HEALTH CENTER  
HOLIDAY VILLAGE SHOPPING CENTER  
PO BOX 3048  
GREAT FALLS, MONTANA 59403  
(701-2109)

REGION III  
MENTAL HEALTH CENTER  
1245 NORTH 25TH STREET  
BILLINGS, MONTANA 59101  
(252-2882)

REGION IV  
MENTAL HEALTH  
SERVICES, INC  
512 LOGAN  
HELENA, MONTANA 59601  
(442-9330)

REGION V  
WESTERN MONTANA COMMUNITY  
MENTAL HEALTH CENTER  
FORT MISSOULA T-12  
MISSOULA, MONTANA 59801  
(728-6670)



DEC 23 1988

Licensure for  
M.A./M.S. Psychologist Associate  
Bill Drafting Instructions

1. In order to be licensed as a "Psychologist Associate" an individual must have a masters level degree in counseling or clinical psychology with a course in study that meets the minimum standards specified in rules which will be developed by the board.

2. The act will become effective on January 1, 1990.

3. Grandfather clause - before April 1, 1990 applicant must meet the requirements of 37-17-302 (2) (a), (b), and (c) and:

a. Must have completed the masters level degree requirement from 1 above;

b. Must have completed one year of supervised experience in the practice of psychology. This experience shall be post-master;

c. Must have submitted an application to be a "licensed psychologist associate" and paid non-refundable examination, application and certificate fees and;

d. Before July 1, 1990 must have successfully completed an oral examination administered under the direction of the Board of Psychologists.

4. After April 1, 1990 applicant must meet the requirements of 37-17-302 (2) (a), (b), and (c) and:

a. Must have completed the masters level degree requirement from 1 above.

b. Must have completed one year of experience in the practice of psychology supervised by a licensed psychologist (not licensed psychologist associate). This experience shall be post-master.

c. Must pass a written and oral examination administered under the direction of the board.

d. Must submit an application to be a "licensed psychologist associate" and pay non-refundable examination, application and certificate fees.

5. On the effective date of the act two additional positions on the board will be reserved for "licensed psychologist associates."

DEC 23 1988

6. There will be reciprocity for "licensed psychologist associates" included in 33-17-304 and other similar conforming codification changes.

7. By October 1, 1990 the board shall establish by rule continuing education requirements for both licensed "psychologists" and "psychologist associates."

CONTACT PERSON: Steve Waldron  
512 Logan  
Helena, MT 59601  
Ph. 442-7808

(This sheet to be used by those testifying on a bill.)

NAME: RICHARD EMERY DATE: 1-23-89

ADDRESS: 5606 QUARTZ

PHONE: 458-5971

REPRESENTING WHOM? BOARD OF PSYCHOLOGISTS

APPEARING ON WHICH PROPOSAL: 187

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? X OPPOSE? \_\_\_\_\_

COMMENT: SEE PREPARED STATEMENT

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

(This sheet to be used by those testifying on a bill.)

NAME: Marcus Einhorn DATE: 1-23-89

ADDRESS: P.O. Box 1278

PHONE: 449-7240

REPRESENTING WHOM? Licensed Psychologists

APPEARING ON WHICH PROPOSAL: 187

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE?

COMMENT: See prepared statement

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

## AMENDMENTS TO SENATE BILL 182

Page 2, line 19, after "functions" strike ["."] and insert the following, "and is included in the current edition of the Diagnostic and Statistical Manual of Mental Disorders, published by the American Psychiatric Association."

Page 4, line 13, strike [~~50%~~ 20% or].

Page 4, line 14, strike [whichever is greater,].

Amendments to SB182

Offered by the Mental Health Association of Montana

January 23, 1989

Page 2, line 21: omit "mental illness"

Page 3, line 5: omit "mental illness"

Page 4, line 15: omit "mental illness"

Page 4, lines 18-20: omit subsection (c)

Page 5, line 3: Add following new section:

"New Section. Section 3. Coverage for mental illness. Insurers, health service corporations, or any employees' health and welfare fund that provides accident and health insurance benefits to residents of this state under group health insurance or group health plans shall, for Montana residents covered under hospital and medical expenses incurred insurance group policies and under hospital and medical service plan group contracts, the same benefits for mental illness as those applicable to physical illness generally."

Renumber all remaining sections.

NAME: JOHN THORSON DATE: 1/23/89

ADDRESS: P.O. Box 1185 - HELENA MT 59624

PHONE: 443-7078

REPRESENTING WHOM? MENTAL HEALTH ASSOC. OF MONTANA

APPEARING ON WHICH PROPOSAL: SB 182

DO YOU: SUPPORT? \_\_\_\_\_ AMEND?  OPPOSE? \_\_\_\_\_

COMMENTS: URGE PARITY BETWEEN INSURANCE  
COSTS FOR PHYSICAL ILLNESS AND  
COSTS FOR MENTAL ILLNESS

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



Leading Quality Treatment in the Northern Rockies

SENATE HEALTH & WELFARE  
EXHIBIT NO. 11  
DATE JAN 23, 1989  
BILL NO. SB 182

TESTIMONY IN SUPPORT OF SENATE BILL 182

David W. Cunningham  
Executive Director

In 1979, a progressive, concerned legislature mandated health insurance coverage for Montanan's suffering from chemical dependency or mental illness. We were among some of the earliest states to pass this type of legislation which has since provided care for thousands of our families who might not otherwise have afforded care.

The changes sought in this bill are two-fold:

1. The definition of mental health requires updating to reflect current knowlege and practice in the field .
2. In nine years, inflation gives rise to the need for a modest increase in the minimum rates. This is the first time an increase in benefits has been sought. We recognize that increases are not popular, however, we think these are prudent and essential because they reflect current average costs of these services to patients.

We urge your support of these changes in this vital piece of legislation.

Thankyou!



CHAIRMAN HAGER  
MEMBERS OF THE COMMITTEE

My name is George Fenner. I am working on contract with Chemical Dependency programs of Montana and I appear here in support of Senate Bill 182.

Chemical dependency (alcoholism, alcohol and drug abuse), along with heart disease and cancer are among Montana's and the nation's most serious health problems.

In Montana an estimated 100,000 persons suffer from chemical dependency. Each may affect the lives of at least four others -- almost one-half of the entire state's population may indirectly suffer the effects of alcohol abuse.

As I sat at home on Friday watching the inaugural festivities on television, I heard President Bush give his acceptance speech and was struck by the fact that in his inaugural address he stated that the scourge of alcohol and drugs would be one of the first issues that would be addressed by his administration. Think back over the past 35 years; who would have thought when they were in high school then that alcohol and drug abuse would be a national problem in this country? It is a national disgrace.

The legislature in 1979 had the presence of mind and foresight to enact legislation that would enable the treatment programs to move forward and address the problems of alcohol, chronic depression and mental illness. Nine years of inflation however has given need to address this request for an essential but modest increase that will allow the programs to move forward in an all-out effort to help control this terrible problem.

I urge you give a do pass vote on Senate Bill 182.

Senate Bill 182  
Submitted by Tanya Ask  
Montana Insurance Department  
January 23, 1989

SENATE HEALTH & WELFARE  
EXHIBIT NO. 13  
DATE Jan. 23, 1989  
BILL NO. SB 182

We have a technical amendment to Senate Bill 182. Last session the definition for "chemical dependency treatment center" was changed from a facility which is "licensed or approved as a treatment center by the alcohol authority of the state" to one which is "licensed or approved as a treatment center by the department of institutions under 53-24-208". The department of institutions is the appropriate authority in Montana. Some Montana residents, however, may travel out of state for treatment. The proposed amendment would clarify, if the center where they received treatment was licensed in that state, the treatment could be covered under this law.

INS 518-1

*Proposed Amendment*  
Submitted by Tanya Ask  
Montana Insurance Department  
444-2040

AMENDMENT TO SENATE BILL 182

1. Page 2, line 1.

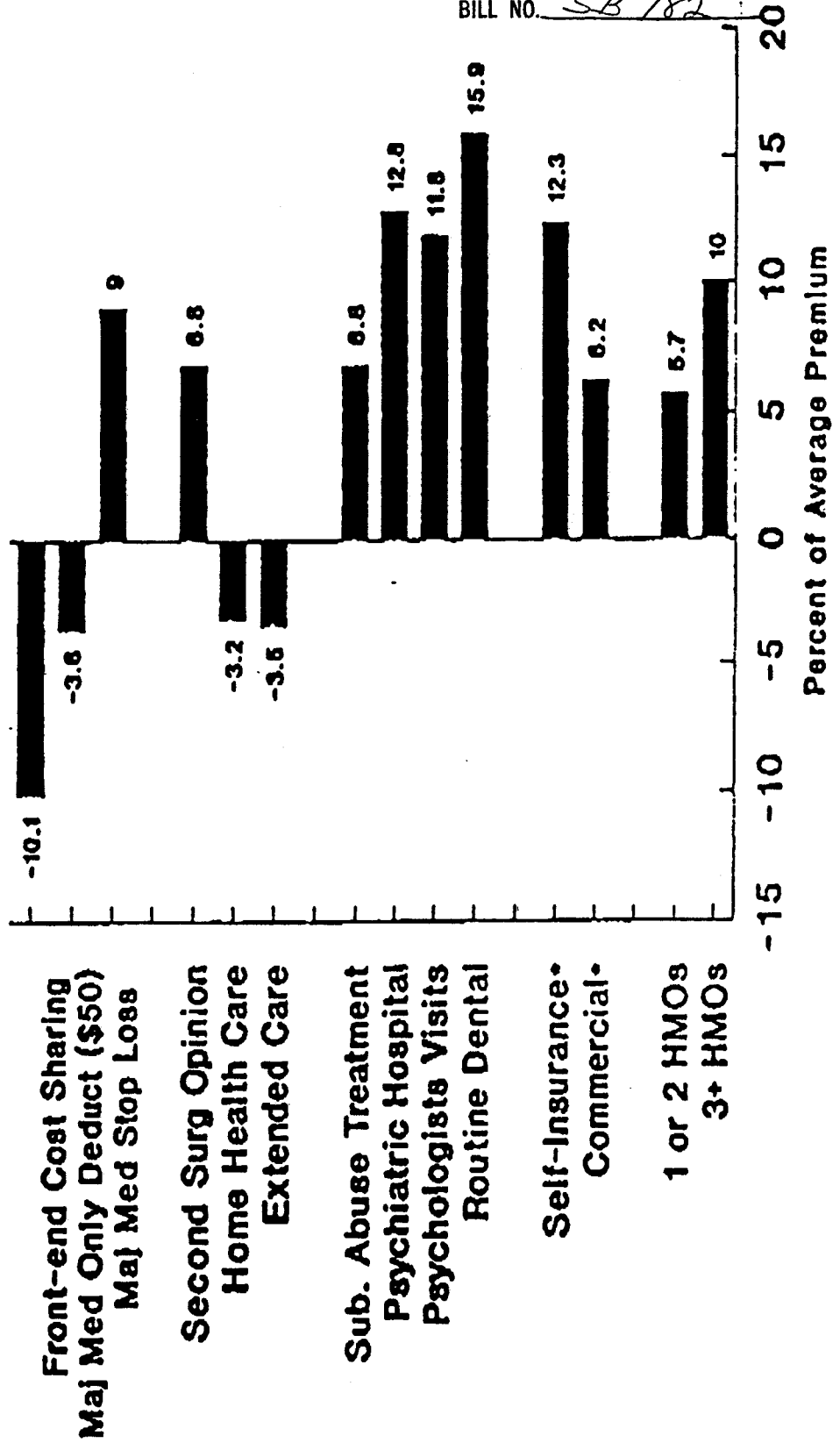
Following: "53-24-208"

Insert: "or by the appropriate licensing authority of any state"

INS 518-2

Table 2

**APPROXIMATE PREMIUM CONSEQUENCES  
OF SELECTED FAMILY COVERAGE PROVISIONS**  
(Percent of Average Premium)



\*Relative to Blue Cross Blue Shield Coverage



(This sheet to be used by those testifying on a bill.)

NAME: Tanya Ask DATE: 1/23/89

ADDRESS: Montana Ins. Dept. PO Box 4007  
Helena

PHONE: 444-2010

REPRESENTING WHOM? MT Ins Dept

APPEARING ON WHICH PROPOSAL: SB 182

DO YOU: SUPPORT?  AMEND?  OPPOSE?

COMMENT: Amendment attached with  
testimony

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Amendments to Senate Bill No. 146  
First Reading Copy

Requested by Senator Tom Hager  
For the Senate Public Health, Welfare and Safety Committee

Prepared by Tom Gomez, Staff Researcher  
January 23, 1989

1. Title, line 7.  
Following: "WORKERS"  
Insert: "AND LICENSED CHILD PLACING AGENCIES"
2. Page 3, line 16.  
Following: "workers"  
Insert: "and licensed child placing agencies"

VISITORS' REGISTER

SB 182 & 187

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Richard Emery	Board of Psychologists	187		✓
Marcus Emban	licensed Psychologists	187		✓
Stuart Klein	Mental Health Services	187	✓	
TOM POSEY	ALLIANCE FOR THE YEMALLYLL	187		✓
"	"	182	✓	
Bob June	CDPM	182	✓	
Tanya Ash	Montana Ins. Dept.	182		technical ass
DEBRA MARCHELLO	STAFFER (CDPM)	182	✓	
Ann Scott	Rocky MT Treatment Center	182	✓	
Tom Hopgood	Health Ins Assoc. Amer	182		✓
Jack Hruska	Region II Mental Health Center	187	✓	
Tom Toner	Region II Mental Health	187	✓	
Maxwell Meehick	Board of Psychologists	187	✓	
Monica REKIEL	Reg. II MH Center	187	✓	
Wanda Hoffman	Reg. II MH Center		✓	
Anne M. Pincus PhD	Licensed Clinical Psychologist	187		✓
JOHN THORSON	MENTAL HEALTH ASSOC.	187		
DAVID GUNWID & HAM	Rimrock Fdn	182	✓	
Cliff Murphy	Mental Health Assoc. of MT	182		
Ken Anderson	FOUNDED UREY CENTER	182	✓	
Steve Wallron	mental Health Center	187	✓	
Steve Wallron	Mental Health Center	182	✓	
Pat Melby	Rimrock Foundation	182	✓	
Sandra Erickson	Providence	182	✓	
Joe Hughes	Chem. Dep. Prof of MT	182	✓	