

HOUSE BILL NO. 443

INTRODUCED BY CORNE', PATTERSON

IN THE HOUSE

JANUARY 24, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON BUSINESS & LABOR.

FEBRUARY 10, 1987                   COMMITTEE RECOMMEND BILL  
DO PASS AS AMENDED. REPORT ADOPTED.  
  
STATEMENT OF INTENT ADOPTED.

FEBRUARY 11, 1987                   PRINTING REPORT.

FEBRUARY 12, 1987                   SECOND READING, DO PASS AS AMENDED.

FEBRUARY 13, 1987                   ENGROSSING REPORT.

FEBRUARY 14, 1987                   THIRD READING, PASSED.  
AYES, 90; NOES, 4.  
  
TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 16, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON BUSINESS & INDUSTRY.

MARCH 13, 1987                   COMMITTEE RECOMMEND BILL BE  
CONCURRED IN. REPORT ADOPTED.  
  
STATEMENT OF INTENT AMENDED.

MARCH 18, 1987                   SECOND READING, CONCURRED IN.

MARCH 20, 1987                   THIRD READING, CONCURRED IN.  
AYES, 49; NOES, 0.  
  
RETURNED TO HOUSE WITH AMENDED  
STATEMENT OF INTENT.

IN THE HOUSE

MARCH 25, 1987

RECEIVED FROM SENATE.

SECOND READING, AMENDED STATEMENT  
OF INTENT ADOPTED.

MARCH 26, 1987

THIRD READING, AMENDED STATEMENT  
OF INTENT ADOPTED.

SENT TO ENROLLING.

1 INTRODUCED BY House BILL NO. 443  
2 Cornie P...

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION  
5 OF THE PRACTICE OF PSYCHOLOGY; CLARIFYING CONDITIONS UNDER  
6 WHICH AN UNLICENSED EMPLOYEE OF A GOVERNMENTAL AGENCY OR  
7 CHARITABLE OR EDUCATIONAL INSTITUTION MAY USE AN OFFICIAL  
8 TITLE THAT INCLUDES "PSYCHOLOGIST"; CLARIFYING THE  
9 EDUCATIONAL QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST;  
10 REDUCING THE EXPERIENCE REQUIRED FOR REEXAMINATION; REVISING  
11 THE AUTHORITY OF THE BOARD OF PSYCHOLOGISTS TO DISCIPLINE  
12 LICENSEES; DEFINING PSYCHOLOGISTS AS HEALTH CARE PROVIDERS;  
13 GRANTING IMMUNITY FROM LIABILITY TO PSYCHOLOGISTS WHO REPORT  
14 VIOLATIONS IN GOOD FAITH; AMENDING SECTIONS 37-17-102,  
15 37-17-104, 37-17-302, 37-17-303, 37-17-311, AND 50-16-302,  
16 MCA; AND PROVIDING AN APPLICABILITY DATE."

17  
18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

19 Section 1. Section 37-17-102, MCA, is amended to read:

20 "37-17-102. Definitions. Unless the context requires  
21 otherwise, in this chapter the following definitions apply:

22 (1) "Accredited college or university" means a college  
23 or university accredited by the regional accrediting  
24 association for institutions of higher learning, such as the  
25 northwest association of secondary and higher schools.

1 (2) "Board" means the board of psychologists provided  
2 for in 2-15-1851.

3 (3) "Department" means the department of commerce  
4 provided for in Title 2, chapter 15, part 18.

5 (4) A person represents himself to be a "psychologist"  
6 when he holds himself out to the public by a title or  
7 description of services incorporating the words  
8 "psychologist", "psychological", "psychologic", or  
9 "psychology" and offers to render or renders psychological  
10 services defined in subsection (5) of this section to  
11 individuals, groups, corporations, or the public, whether or  
12 not he does so for compensation or fee.

13 (5) (a) "Practice of psychology" means the  
14 application, ~~while representing oneself to be a~~  
15 ~~psychologist of principles, methods and procedures of~~  
16 ~~understanding, predicting and influencing behavior, such as~~  
17 ~~the principles pertaining to learning, perception,~~  
18 ~~motivation, thinking, emotions, and interpersonal~~  
19 ~~relationships, the methods and procedures of interviewing,~~  
20 ~~counseling, and behavior modification, including~~  
21 ~~psychotherapeutic techniques and hypnosis, and constructing,~~  
22 ~~administering, and interpreting tests of mental abilities,~~  
23 ~~aptitudes, interests, attitudes, personality~~  
24 ~~characteristics, emotions, and motivation observation,~~  
25 description, interpretation, and modification of human



1 behavior by the application of psychological principles,  
 2 methods, and procedures for the purpose of eliminating  
 3 symptomatic, maladaptive, or undesired behavior and  
 4 improving interpersonal relations, work and life adjustment,  
 5 personal effectiveness, and mental health.

6 (b) The practice of psychology includes but is not  
 7 limited to psychological testing and evaluation or  
 8 assessment of personal characteristics such as intelligence,  
 9 personality, abilities, interests, aptitudes, and  
 10 neuropsychological functioning; counseling, psychoanalysis,  
 11 psychotherapy, hypnosis, biofeedback, and behavior analysis  
 12 and therapy; diagnosis and treatment of mental and emotional  
 13 disorders or disabilities, chemical dependency, substance  
 14 abuse, and the psychological aspects of physical illness,  
 15 accident, injury, or disability; and psychoeducational  
 16 evaluation, therapy, remediation, and consultation."

17 Section 2. Section 37-17-104, MCA, is amended to read:

18 "37-17-104. Exemptions. This chapter does not prevent:

19 (1) qualified members of other professions, such as  
 20 physicians, social workers, lawyers, pastoral counselors, or  
 21 educators, from doing work of a psychological nature  
 22 consistent with their training if they do not hold  
 23 themselves out to the public by a title or description  
 24 incorporating the words "psychology" or "psychologist";

25 (2) the activities, services, and use of an official

1 title clearly delineating the nature and level of training  
 2 on the part of a person in the employ of a federal, state,  
 3 county, or municipal agency or of other political  
 4 subdivisions or an educational or charitable institution  
 5 insofar as these activities and services are a part of the  
 6 duties of his office or position with the agency or  
 7 institution;

8 (3) the activities and services of a student, intern,  
 9 or resident in psychology pursuing a course of study at an  
 10 accredited university or college or working in a generally  
 11 recognized training center if these activities and services  
 12 constitute a part of his supervised course of study;

13 (4) the activities and services of a person who is not  
 14 a resident of this state in rendering consulting  
 15 psychological services in this state when these services are  
 16 rendered for a period which does not exceed, in the  
 17 aggregate, 60 days during a calendar year if the person is  
 18 authorized under the laws of the state or country of his  
 19 residence to perform these activities and services; however,  
 20 these persons shall report to the department the nature and  
 21 extent of the services in this state if they exceed 10 days  
 22 in a calendar year;

23 (5) a person authorized by the laws of the state or  
 24 country of his former residence to perform activities and  
 25 services, who has recently become a resident of this state

1 and who has applied for a license in this state, from  
2 performing such activities and services pending disposition  
3 of his application;

4 (6) the use of the term "social psychologist" by a  
5 person who:

6 (a) has been graduated with a doctoral degree in  
7 sociology or social psychology from an institution and whose  
8 credits in sociology or social psychology are acceptable by  
9 a recognized educational institution;

10 (b) has passed comprehensive examinations in the field  
11 of social psychology as part of the requirement for the  
12 doctoral degree or who has had equivalent specialized  
13 training in social psychology; and

14 (c) has filed with the department a statement of facts  
15 demonstrating his compliance with this subsection;

16 (7) the offering of lecture services for a fee by a  
17 person exempted from licensing requirements by virtue of his  
18 employment;

19 (8) activities of a psychological nature on the part  
20 of a person who is a salaried employee of an accredited  
21 academic institution, governmental agency, research  
22 laboratory, or business corporation if he is performing the  
23 duties for which he is employed by the organization within  
24 the confines of the organization."

25 Section 3. Section 37-17-302, MCA, is amended to read:

1 "37-17-302. Application -- qualifications. (1)  
2 Application for examination for licensing a psychologist  
3 shall be made on forms prescribed by the board.

4 (2) The board shall license as a psychologist any  
5 person who pays the prescribed fee, passes the prescribed  
6 examination, and submits evidence by oath that he:

7 (a) is a resident of or shows satisfactory evidence of  
8 intent to become a resident of this state at the time he is  
9 licensed;

10 (b) is at least 18 years of age;

11 (c) is of good moral character;

12 (d) (i) has received a doctoral degree based-on-a  
13 program-of-studies;-primarily-psychological-in--content; in  
14 clinical psychology from an accredited college or university  
15 having an appropriate graduate program approved by the  
16 American psychological association; or

17 (ii) has received a doctoral degree in clinical  
18 psychology from an accredited college or university not  
19 approved by the American psychological association and has  
20 successfully completed a formal graduate retraining program  
21 approved by the American psychological association; or

22 (iii) has received a doctoral degree in psychology from  
23 an accredited college or university after successfully  
24 completing a course of studies that meets the minimum  
25 standards specified in rules adopted by the board; and

1 (e) has completed at the time of application a minimum  
2 of 2 years of experience in the practice, research, or  
3 teaching of psychology. One year of this experience shall be  
4 post doctoral."

5 Section 4. Section 37-17-303, MCA, is amended to read:

6 "37-17-303. Examination. (1) The department shall  
7 administer examinations to qualified applicants for  
8 licensing at least once a year, subject to 37-1-101. The  
9 board shall determine the subject and scope of specialized  
10 psychological areas and techniques for examination.  
11 Examinations may be written, oral, or both. The board shall  
12 determine an acceptable level of performance for each  
13 examination.

14 (2) An applicant who fails his first examination may  
15 be reexamined at a subsequent examination on the payment of  
16 another examination fee. An applicant who fails two  
17 successive examinations may apply for reexamination after 2  
18 years 1 year of additional professional experience or  
19 training."

20 Section 5. Section 37-17-311, MCA, is amended to read:

21 "37-17-311. Denial or revocation of license -- grounds  
22 -- notice and hearing. (1) ~~A license applied for or issued~~  
23 ~~under this chapter may be refused or revoked by the board on~~  
24 ~~proof~~ The board may refuse or revoke a license applied for  
25 or issued under this chapter or apply other disciplinary

1 sanctions on finding that the person to whom the license was  
2 issued:

3 (a) has been guilty of fraud or deceit in securing the  
4 license or a renewal;

5 (b) is using or has used a narcotic or an alcoholic  
6 beverage to an extent that the use impairs his ability to  
7 perform the work of a professional psychologist with safety  
8 to the public; or

9 (c) has been guilty of unprofessional conduct as  
10 defined by the code-of-ethics rules adopted by the board.

11 (2) The board may not revoke or refuse to issue or  
12 renew a license for any cause other than failure to pay fees  
13 unless the person is given notice and opportunity for a  
14 hearing before the board."

15 Section 6. Section 50-16-302, MCA, is amended to read:

16 "50-16-302. Definitions. As used in this part, the  
17 following definitions apply:

18 (1) "Health care provider" means a person,  
19 corporation, facility, or institution licensed by this state  
20 to provide health care services.

21 (2) "Health care services" means medical or  
22 psychological diagnosis, treatment, ~~medical~~ evaluation,  
23 advice, or other activities permitted under the health care  
24 licensing statutes of this state.

25 (3) "Confidential health care information" means

1 information obtained by a health care provider relating to  
2 health care history, diagnosis, condition, treatment, or  
3 evaluation.

4 (4) "Peer review committee" means a committee of a  
5 state or local professional ~~medical-society~~ organization of  
6 health care providers or of a medical staff of a licensed  
7 hospital or other health care facility that is operated  
8 pursuant to written bylaws approved by the governing board  
9 of the hospital or other health care facility or approved by  
10 an organization of health care providers and formed pursuant  
11 to state or federal law and authorized by law to evaluate  
12 health care services.

13 (5) "Third party" means a person or entity other than  
14 the person to whom the confidential health care information  
15 relates and other than a health care provider.

16 (6) "Qualified person" means a person whose training  
17 and experience is appropriate to the nature and level of  
18 work in which he is engaged and who, when working as part of  
19 an organization, is performing the work with published and  
20 adequate administrative safeguards against unauthorized  
21 disclosures.

22 (7) "Administration" includes but is not limited to  
23 accreditation, reimbursement, liability risk management,  
24 appraisal, and defense or prosecution of legal actions."

25 NEW SECTION. Section 7. Immunity from liability.

1 There is no liability on the part of and no cause of action  
2 may arise against a psychologist for a statement made in  
3 good faith in reporting another psychologist's apparent  
4 violation of the provisions of this chapter or rules adopted  
5 by the board.

6 NEW SECTION. Section 8. Extension of authority. Any  
7 existing authority of the board of psychologists to make  
8 rules on the subject of the provisions of this act is  
9 extended to the provisions of this act.

10 NEW SECTION. Section 9. Codification instruction.  
11 Section 7 is intended to be codified as an integral part of  
12 Title 37, chapter 17, part 3, and the provisions of Title 37  
13 apply to section 7.

14 NEW SECTION. Section 10. Applicability date. Section  
15 3 applies to individuals who apply for initial licensure  
16 under 37-17-302 on or after October 1, 1987.

-End-

50th Legislature

HB 0443/si

APPROVED BY COMM. ON  
BUSINESS AND LABOR

1 STATEMENT OF INTENT

2 HOUSE BILL 443

3 House Business and Labor Committee

4

5 A statement of intent is required for this bill because  
6 section 5 delegates authority to the board of psychologists  
7 to adopt rules defining unprofessional conduct for the  
8 purpose of establishing postlicensing conduct standards for  
9 licensees. Violation of the standards may be grounds for  
10 license disciplinary action.

## HOUSE BILL NO. 443

INTRODUCED BY CORNE', PATTERSON

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION OF THE PRACTICE OF PSYCHOLOGY; CLARIFYING CONDITIONS UNDER WHICH AN UNLICENSED EMPLOYEE OF A GOVERNMENTAL AGENCY OR CHARITABLE OR EDUCATIONAL INSTITUTION MAY USE AN OFFICIAL TITLE THAT INCLUDES "PSYCHOLOGIST"; CLARIFYING THE EDUCATIONAL QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST; REDUCING THE EXPERIENCE REQUIRED FOR REEXAMINATION; REVISING THE AUTHORITY OF THE BOARD OF PSYCHOLOGISTS TO DISCIPLINE LICENSEES; DEFINING PSYCHOLOGISTS AS HEALTH CARE PROVIDERS; GRANTING IMMUNITY FROM LIABILITY TO PSYCHOLOGISTS WHO REPORT VIOLATIONS IN GOOD FAITH; AMENDING SECTIONS 37-17-102, 37-17-104, 37-17-302, 37-17-303, 37-17-311, AND 50-16-302, MCA; AND PROVIDING AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-17-102, MCA, is amended to read:

"37-17-102. Definitions. Unless the context requires otherwise, in this chapter the following definitions apply:

(1) "Accredited college or university" means a college or university accredited by the regional accrediting association for institutions of higher learning, such as the northwest association of secondary and higher schools.

(2) "Board" means the board of psychologists provided for in 2-15-1851.

(3) "Department" means the department of commerce provided for in Title 2, chapter 15, part 18.

(4) A person represents himself to be a "psychologist" when he holds himself out to the public by a title or description of services incorporating the words "psychologist", "psychological", "psychologic", or "psychology" and offers to render or renders psychological services defined in subsection (5) of this section to individuals, groups, corporations, or the public, whether or not he does so for compensation or fee.

(5) (a) "Practice of psychology" means the application, while representing oneself to be a psychologist, of principles, methods, and procedures of understanding, predicting, and influencing behavior, such as the principles pertaining to learning, perception, motivation, thinking, emotions, and interpersonal relationships, the methods and procedures of interviewing, counseling, and behavior modification, including psychotherapeutic techniques and hypnosis, and constructing, administering, and interpreting tests of mental abilities, aptitudes, interests, attitudes, personality characteristics, emotions, and motivation observation, description, interpretation, and modification of human

1 behavior by the application of psychological principles,  
 2 methods, and procedures for the purpose of eliminating  
 3 symptomatic, maladaptive, or undesired behavior and  
 4 improving interpersonal relations, work and life adjustment,  
 5 personal effectiveness, and mental health.

6 (b) The practice of psychology includes but is not  
 7 limited to psychological testing and evaluation or  
 8 assessment of personal characteristics such as intelligence,  
 9 personality, abilities, interests, aptitudes, and  
 10 neuropsychological functioning; counseling, psychoanalysis,  
 11 psychotherapy, hypnosis, biofeedback, and behavior analysis  
 12 and therapy; diagnosis and treatment of mental and emotional  
 13 disorders or disabilities, chemical dependency, substance  
 14 abuse, and the psychological aspects of physical illness,  
 15 accident, injury, or disability; and psychoeducational  
 16 evaluation, therapy, remediation, and consultation."

17 Section 2. Section 37-17-104, MCA, is amended to read:

18 "37-17-104. Exemptions. This chapter does not prevent:

19 (1) qualified members of other professions, such as  
 20 physicians, social workers, lawyers, pastoral counselors, or  
 21 educators, from doing work of a psychological nature  
 22 consistent with their training if they do not hold  
 23 themselves out to the public by a title or description  
 24 incorporating the words "psychology" or "psychologist";

25 (2) the activities, services, and use of an official

1 title clearly delineating the nature and level of training  
 2 on the part of a person in the employ of a federal, state,  
 3 county, or municipal agency or of other political  
 4 subdivisions or an educational or charitable institution  
 5 insofar as these activities and services are a part of the  
 6 duties of his office or position with the agency or  
 7 institution;

8 (3) the activities and services of a student, intern,  
 9 or resident in psychology pursuing a course of study at an  
 10 accredited university or college or working in a generally  
 11 recognized training center if these activities and services  
 12 constitute a part of his supervised course of study;

13 (4) the activities and services of a person who is not  
 14 a resident of this state in rendering consulting  
 15 psychological services in this state when these services are  
 16 rendered for a period which does not exceed, in the  
 17 aggregate, 60 days during a calendar year if the person is  
 18 authorized under the laws of the state or country of his  
 19 residence to perform these activities and services; however,  
 20 these persons shall report to the department the nature and  
 21 extent of the services in this state if they exceed 10 days  
 22 in a calendar year;

23 (5) a person authorized by the laws of the state or  
 24 country of his former residence to perform activities and  
 25 services, who has recently become a resident of this state

1 and who has applied for a license in this state, from  
 2 performing such activities and services pending disposition  
 3 of his application;

4 (6) the use of the term "social psychologist" by a  
 5 person who:

6 (a) has been graduated with a doctoral degree in  
 7 sociology or social psychology from an institution and whose  
 8 credits in sociology or social psychology are acceptable by  
 9 a recognized educational institution;

10 (b) has passed comprehensive examinations in the field  
 11 of social psychology as part of the requirement for the  
 12 doctoral degree or who has had equivalent specialized  
 13 training in social psychology; and

14 (c) has filed with the department a statement of facts  
 15 demonstrating his compliance with this subsection;

16 (7) the offering of lecture services for a fee by a  
 17 person exempted from licensing requirements by virtue of his  
 18 employment;

19 (8) activities of a psychological nature on the part  
 20 of a person who is a salaried employee of an accredited  
 21 academic institution, governmental agency, research  
 22 laboratory, or business corporation if he is performing the  
 23 duties for which he is employed by the organization within  
 24 the confines of the organization."

25 Section 3. Section 37-17-302, MCA, is amended to read:

1 "37-17-302. Application -- qualifications. (1)  
 2 Application for examination for licensing a psychologist  
 3 shall be made on forms prescribed by the board.

4 (2) The board shall license as a psychologist any  
 5 person who pays the prescribed fee, passes the prescribed  
 6 examination, and submits evidence by oath that he:

7 (a) is a resident of or shows satisfactory evidence of  
 8 intent to become a resident of this state at the time he is  
 9 licensed;

10 (b) is at least 18 years of age;

11 (c) is of good moral character;

12 (d) ~~(i)~~ has received a doctoral degree ~~based-on-a~~  
 13 ~~program-of-studies; primarily psychological-in-content; in~~  
 14 ~~clinical psychology~~ from an accredited college or university  
 15 having an appropriate graduate program approved by the  
 16 American psychological association; or

17 (ii) has received a doctoral degree in clinical  
 18 psychology from an accredited college or university not  
 19 approved by the American psychological association and has  
 20 successfully completed a formal graduate retraining program  
 21 approved by the American psychological association; or

22 ~~(iii) has received a doctoral degree in psychology from~~  
 23 ~~an accredited college or university after successfully~~  
 24 ~~completing a course of studies that meets the minimum~~  
 25 ~~standards specified in rules adopted by the board; and~~

1 (e) has completed at the time of application a minimum  
2 of 2 years of experience in the practice, research, or  
3 teaching of psychology. One year of this experience shall be  
4 post doctoral."

5 Section 4. Section 37-17-303, MCA, is amended to read:

6 "37-17-303. Examination. (1) The department shall  
7 administer examinations to qualified applicants for  
8 licensing at least once a year, subject to 37-1-101. The  
9 board shall determine the subject and scope of specialized  
10 psychological areas and techniques for examination.  
11 Examinations may be written, oral, or both. The board shall  
12 determine an acceptable level of performance for each  
13 examination.

14 (2) An applicant who fails his first examination may  
15 be reexamined at a subsequent examination on the payment of  
16 another examination fee. An applicant who fails two  
17 successive examinations may apply for reexamination after 2  
18 years 1 year of additional professional experience or  
19 training."

20 Section 5. Section 37-17-311, MCA, is amended to read:

21 "37-17-311. Denial or revocation of license -- grounds  
22 -- notice and hearing. (1) ~~A license applied for or issued~~  
23 ~~under this chapter may be refused or revoked by the board on~~  
24 ~~proof~~ The board may refuse or revoke a license applied for  
25 or issued under this chapter or apply other disciplinary

1 sanctions on finding that the person to whom the license was  
2 issued:

3 (a) has been guilty of fraud or deceit in securing the  
4 license or a renewal;

5 (b) is using or has used a narcotic or an alcoholic  
6 beverage to an extent that the use impairs his ability to  
7 perform the work of a professional psychologist with safety  
8 to the public; or

9 (c) has been guilty of unprofessional conduct as  
10 defined by the ~~code of ethics~~ rules adopted by the board.

11 (2) The board may not revoke or refuse to issue or  
12 renew a license for any cause other than failure to pay fees  
13 unless the person is given notice and opportunity for a  
14 hearing before the board."

15 Section 6. Section 50-16-302, MCA, is amended to read:

16 "50-16-302. Definitions. As used in this part, the  
17 following definitions apply:

18 (1) "Health care provider" means a person,  
19 corporation, facility, or institution licensed by this state  
20 to provide health care services.

21 (2) "Health care services" means medical or  
22 psychological diagnosis, treatment, ~~medical~~ evaluation,  
23 advice, or other activities permitted under the health care  
24 licensing statutes of this state.

25 (3) "Confidential health care information" means

1 information obtained by a health care provider relating to  
 2 health care history, diagnosis, condition, treatment, or  
 3 evaluation.

4 (4) "Peer review committee" means a committee of a  
 5 state or local professional ~~medical-society~~ organization of  
 6 health care providers or of a medical staff of a licensed  
 7 hospital or other health care facility that is operated  
 8 pursuant to written bylaws approved by the governing board  
 9 of the hospital or other health care facility or approved by  
 10 an organization of health care providers and formed pursuant  
 11 to state or federal law and authorized by law to evaluate  
 12 health care services.

13 (5) "Third party" means a person or entity other than  
 14 the person to whom the confidential health care information  
 15 relates and other than a health care provider.

16 (6) "Qualified person" means a person whose training  
 17 and experience is appropriate to the nature and level of  
 18 work in which he is engaged and who, when working as part of  
 19 an organization, is performing the work with published and  
 20 adequate administrative safeguards against unauthorized  
 21 disclosures.

22 (7) "Administration" includes but is not limited to  
 23 accreditation, reimbursement, liability risk management,  
 24 appraisal, and defense or prosecution of legal actions."

25 NEW SECTION. Section 7. Immunity from liability.

1 There is no liability on the part of and no cause of action  
 2 may arise against a psychologist for a statement made in  
 3 good faith in reporting another psychologist's apparent  
 4 violation of the provisions of this chapter or rules adopted  
 5 by the board.

6 NEW SECTION. Section 8. Extension of authority. Any  
 7 existing authority of the board of psychologists to make  
 8 rules on the subject of the provisions of this act is  
 9 extended to the provisions of this act.

10 NEW SECTION. Section 9. Codification instruction.  
 11 Section 7 is intended to be codified as an integral part of  
 12 Title 37, chapter 17, part 3, and the provisions of Title 37  
 13 apply to section 7.

14 NEW SECTION. Section 10. Applicability date. Section  
 15 3 applies to individuals who apply for initial licensure  
 16 under 37-17-302 on or after October 1, 1987.

-End-

1 STATEMENT OF INTENT

2 HOUSE BILL 443

3 House Business and Labor Committee

4

5 A statement of intent is required for this bill because  
6 section 5 delegates authority to the board of psychologists  
7 to adopt rules defining unprofessional conduct for the  
8 purpose of establishing postlicensing conduct standards for  
9 licensees. Violation of the standards may be grounds for  
10 license disciplinary action.

## 1 HOUSE BILL NO. 443

2 INTRODUCED BY CORNE', PATTERSON

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION  
5 OF THE PRACTICE OF PSYCHOLOGY; CLARIFYING CONDITIONS UNDER  
6 WHICH AN UNLICENSED EMPLOYEE OF A GOVERNMENTAL AGENCY OR  
7 CHARITABLE OR EDUCATIONAL INSTITUTION MAY USE AN OFFICIAL  
8 TITLE THAT INCLUDES "PSYCHOLOGIST"; CLARIFYING THE  
9 EDUCATIONAL QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST;  
10 REDUCING THE EXPERIENCE REQUIRED FOR REEXAMINATION; REVISING  
11 THE AUTHORITY OF THE BOARD OF PSYCHOLOGISTS TO DISCIPLINE  
12 LICENSEES; DEFINING PSYCHOLOGISTS AS HEALTH CARE PROVIDERS;  
13 GRANTING IMMUNITY FROM LIABILITY TO PSYCHOLOGISTS WHO REPORT  
14 VIOLATIONS IN GOOD FAITH; AMENDING SECTIONS 37-17-102,  
15 37-17-104, 37-17-302, 37-17-303, 37-17-311, AND 50-16-302,  
16 MCA; AND PROVIDING AN APPLICABILITY DATE."

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18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

19 Section 1. Section 37-17-102, MCA, is amended to read:

20 "37-17-102. Definitions. Unless the context requires  
21 otherwise, in this chapter the following definitions apply:22 (1) "Accredited college or university" means a college  
23 or university accredited by the regional accrediting  
24 association for institutions of higher learning, such as the  
25 northwest association of secondary and higher schools.1 (2) "Board" means the board of psychologists provided  
2 for in 2-15-1851.3 (3) "Department" means the department of commerce  
4 provided for in Title 2, chapter 15, part 18.5 (4) A person represents himself to be a "psychologist"  
6 when he holds himself out to the public by a title or  
7 description of services incorporating the words  
8 "psychologist", "psychological", "psychologic", or  
9 "psychology" and offers to render or renders psychological  
10 services defined in subsection (5) of this section to  
11 individuals, groups, corporations, or the public, whether or  
12 not he does so for compensation or fee.13 (5) (a) "Practice of psychology" means the  
14 application,---while---representing---oneself---to---be---a  
15 psychologist,---of---principles,---methods,---and---procedures---of  
16 understanding,---predicting,---and---influencing---behavior,---such---as  
17 the---principles---pertaining---to---learning,---perception,---  
18 motivation,---thinking,---emotions,---and---interpersonal  
19 relationships,---the---methods---and---procedures---of---interviewing,  
20 counseling,---and---behavior---modification,---including  
21 psychotherapeutic---techniques---and---hypnosis,---and---constructing,  
22 administering,---and---interpreting---tests---of---mental---abilities,  
23 aptitudes,---interests,---attitudes,---personality  
24 characteristics,---emotions,---and---motivation observation,  
25 description, interpretation, and modification of human

1 behavior by the application of psychological principles,  
 2 methods, and procedures for the purpose of eliminating  
 3 symptomatic, maladaptive, or undesired behavior and  
 4 improving interpersonal relations, work and life adjustment,  
 5 personal effectiveness, and mental health.

6 (b) The practice of psychology includes but is not  
 7 limited to psychological testing and evaluation or  
 8 assessment of personal characteristics such as intelligence,  
 9 personality, abilities, interests, aptitudes, and  
 10 neuropsychological functioning; counseling, psychoanalysis,  
 11 psychotherapy, hypnosis, biofeedback, and behavior analysis  
 12 and therapy; diagnosis and treatment of mental and emotional  
 13 disorders or disabilities, chemical dependency, substance  
 14 abuse, and the psychological aspects of physical illness,  
 15 accident, injury, or disability; and psychoeducational  
 16 evaluation, therapy, remediation, and consultation."

17 Section 2. Section 37-17-104, MCA, is amended to read:

18 "37-17-104. Exemptions. This chapter does not prevent:

19 (1) qualified members of other professions, such as  
 20 physicians, social workers, lawyers, pastoral counselors, or  
 21 educators, from doing work of a psychological nature  
 22 consistent with their training if they do not hold  
 23 themselves out to the public by a title or description  
 24 incorporating the words "psychology" or "psychologist";

25 (2) the activities, services, and use of an official

1 title clearly delineating the nature and level of training  
 2 on the part of a person in the employ of a federal, state,  
 3 county, or municipal agency or of other political  
 4 subdivisions or an educational or charitable institution  
 5 insofar as these activities and services are a part of the  
 6 duties of his office or position with the agency or  
 7 institution;

8 (3) the activities and services of a student, intern,  
 9 or resident in psychology pursuing a course of study at an  
 10 accredited university or college or working in a generally  
 11 recognized training center if these activities and services  
 12 constitute a part of his supervised course of study;

13 (4) the activities and services of a person who is not  
 14 a resident of this state in rendering consulting  
 15 psychological services in this state when these services are  
 16 rendered for a period which does not exceed, in the  
 17 aggregate, 60 days during a calendar year if the person is  
 18 authorized under the laws of the state or country of his  
 19 residence to perform these activities and services; however,  
 20 these persons shall report to the department the nature and  
 21 extent of the services in this state if they exceed 10 days  
 22 in a calendar year;

23 (5) a person authorized by the laws of the state or  
 24 country of his former residence to perform activities and  
 25 services, who has recently become a resident of this state

1 and who has applied for a license in this state, from  
2 performing such activities and services pending disposition  
3 of his application;

4 (6) the use of the term "social psychologist" by a  
5 person who:

6 (a) has been graduated with a doctoral degree in  
7 sociology or social psychology from an institution and whose  
8 credits in sociology or social psychology are acceptable by  
9 a recognized educational institution;

10 (b) has passed comprehensive examinations in the field  
11 of social psychology as part of the requirement for the  
12 doctoral degree or who has had equivalent specialized  
13 training in social psychology; and

14 (c) has filed with the department a statement of facts  
15 demonstrating his compliance with this subsection;

16 (7) the offering of lecture services for a fee by a  
17 person exempted from licensing requirements by virtue of his  
18 employment;

19 (8) activities of a psychological nature on the part  
20 of a person who is a salaried employee of an accredited  
21 academic institution, governmental agency, research  
22 laboratory, or business corporation if he is performing the  
23 duties for which he is employed by the organization within  
24 the confines of the organization."

25 Section 3. Section 37-17-302, MCA, is amended to read:

1 "37-17-302. Application -- qualifications. (1)  
2 Application for examination for licensing a psychologist  
3 shall be made on forms prescribed by the board.

4 (2) The board shall license as a psychologist any  
5 person who pays the prescribed fee, passes the prescribed  
6 examination, and submits evidence by oath that he:

7 (a) is a resident of or shows satisfactory evidence of  
8 intent to become a resident of this state at the time he is  
9 licensed;

10 (b) is at least 18 years of age;

11 (c) is of good moral character;

12 (d) (i) has received a doctoral degree based-on-a  
13 program-of-studies, primarily psychological-in-content, in  
14 clinical psychology from an accredited college or university  
15 having an appropriate graduate program approved by the  
16 American psychological association; or

17 (ii) has received a doctoral degree in clinical  
18 psychology from an accredited college or university not  
19 approved by the American psychological association and has  
20 successfully completed a formal graduate retraining program  
21 IN CLINICAL PSYCHOLOGY approved by the American  
22 psychological association; or OR

23 (iii) has received a doctoral degree in psychology from  
24 an accredited college or university after successfully  
25 completing a course of studies that meets the minimum

1 ~~standards-specified-in-rules-adopted-by-the-board;~~ (III) HAS  
 2 ~~RECEIVED A DOCTORAL DEGREE IN PSYCHOLOGY FROM AN ACCREDITED~~  
 3 ~~COLLEGE OR UNIVERSITY, AND WHOSE COURSE OF STUDIES MEETS~~  
 4 ~~MINIMUM STANDARDS SPECIFIED IN RULES BY THE BOARD; and~~

5 (e) has completed at the time of application a minimum  
 6 of 2 years of experience in the practice, research, or  
 7 teaching of psychology. One year of this experience shall be  
 8 post doctoral."

9 Section 4. Section 37-17-303, MCA, is amended to read:

10 "37-17-303. Examination. (1) The department shall  
 11 administer examinations to qualified applicants for  
 12 licensing at least once a year, subject to 37-1-101. The  
 13 board shall determine the subject and scope of specialized  
 14 psychological areas and techniques for examination.  
 15 Examinations may be written, oral, or both. The board shall  
 16 determine an acceptable level of performance for each  
 17 examination.

18 (2) An applicant who fails his first examination may  
 19 be reexamined at a subsequent examination on the payment of  
 20 another examination fee. An applicant who fails two  
 21 successive examinations may apply for reexamination after 2  
 22 years 1 year of additional professional experience or  
 23 training."

24 Section 5. Section 37-17-311, MCA, is amended to read:

25 "37-17-311. Denial or revocation of license -- grounds

1 -- notice and hearing. (1) ~~A license applied for or issued~~  
 2 ~~under this chapter may be refused or revoked by the board on~~  
 3 ~~proof~~ The board may refuse or revoke a license applied for  
 4 or issued under this chapter or apply other disciplinary  
 5 sanctions on finding that the person to whom the license was  
 6 issued:

7 (a) has been guilty of fraud or deceit in securing the  
 8 license or a renewal;

9 (b) is using or has used a narcotic or an alcoholic  
 10 beverage to an extent that the use impairs his ability to  
 11 perform the work of a professional psychologist with safety  
 12 to the public; or

13 (c) has been guilty of unprofessional conduct as  
 14 defined by the code-of-ethics rules adopted by the board.

15 (2) The board may not revoke or refuse to issue or  
 16 renew a license for any cause other than failure to pay fees  
 17 unless the person is given notice and opportunity for a  
 18 hearing before the board."

19 Section 6. Section 50-16-302, MCA, is amended to read:

20 "50-16-302. Definitions. As used in this part, the  
 21 following definitions apply:

22 (1) "Health care provider" means a person,  
 23 corporation, facility, or institution licensed by this state  
 24 to provide health care services.

25 (2) "Health care services" means medical or

1 psychological diagnosis, treatment, medical evaluation,  
2 advice, or other activities permitted under the health care  
3 licensing statutes of this state.

4 (3) "Confidential health care information" means  
5 information obtained by a health care provider relating to  
6 health care history, diagnosis, condition, treatment, or  
7 evaluation.

8 (4) "Peer review committee" means a committee of a  
9 state or local professional medical-society organization of  
10 health care providers or of a medical staff of a licensed  
11 hospital or other health care facility that is operated  
12 pursuant to written bylaws approved by the governing board  
13 of the hospital or other health care facility or approved by  
14 an organization of health care providers and formed pursuant  
15 to state or federal law and authorized by law to evaluate  
16 health care services.

17 (5) "Third party" means a person or entity other than  
18 the person to whom the confidential health care information  
19 relates and other than a health care provider.

20 (6) "Qualified person" means a person whose training  
21 and experience is appropriate to the nature and level of  
22 work in which he is engaged and who, when working as part of  
23 an organization, is performing the work with published and  
24 adequate administrative safeguards against unauthorized  
25 disclosures.

1 (7) "Administration" includes but is not limited to  
2 accreditation, reimbursement, liability risk management,  
3 appraisal, and defense or prosecution of legal actions."

4 NEW SECTION. Section 7. Immunity from liability.  
5 There is no liability on the part of and no cause of action  
6 may arise against a psychologist for a statement made in  
7 good faith in reporting another psychologist's apparent  
8 violation of the provisions of this chapter or rules adopted  
9 by the board.

10 NEW SECTION. Section 8. Extension of authority. Any  
11 existing authority of the board of psychologists to make  
12 rules on the subject of the provisions of this act is  
13 extended to the provisions of this act.

14 NEW SECTION. Section 9. Codification instruction.  
15 Section 7 is intended to be codified as an integral part of  
16 Title 37, chapter 17, part 3, and the provisions of Title 37  
17 apply to section 7.

18 NEW SECTION. Section 10. Applicability date. Section  
19 3 applies to individuals who apply for initial licensure  
20 under 37-17-302 on or after October 1, 1987.

-End-

1 STATEMENT OF INTENT

2 HOUSE BILL 443

3 House Business and Labor Committee

4

5 A statement of intent is required for this bill because  
6 section 5 delegates authority to the board of psychologists  
7 to adopt rules defining unprofessional conduct for the  
8 purpose of establishing postlicensing conduct standards for  
9 licensees. USING THE ETHICAL STANDARDS OF THE AMERICAN  
10 PSYCHOLOGICAL ASSOCIATION AS A GUIDE, THE BOARD SHALL ADOPT  
11 RULES CONSISTENT WITH ITS DUTY TO PROTECT THE PUBLIC'S  
12 HEALTH, SAFETY, AND WELFARE. Violation of the standards may  
13 be grounds for license disciplinary action.

REFERENCE BILL  
HB-443

## 1 HOUSE BILL NO. 443

2 INTRODUCED BY CORNE', PATERSON

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION  
5 OF THE PRACTICE OF PSYCHOLOGY; CLARIFYING CONDITIONS UNDER  
6 WHICH AN UNLICENSED EMPLOYEE OF A GOVERNMENTAL AGENCY OR  
7 CHARITABLE OR EDUCATIONAL INSTITUTION MAY USE AN OFFICIAL  
8 TITLE THAT INCLUDES "PSYCHOLOGIST"; CLARIFYING THE  
9 EDUCATIONAL QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST;  
10 REDUCING THE EXPERIENCE REQUIRED FOR REEXAMINATION; REVISING  
11 THE AUTHORITY OF THE BOARD OF PSYCHOLOGISTS TO DISCIPLINE  
12 LICENSEES; DEFINING PSYCHOLOGISTS AS HEALTH CARE PROVIDERS;  
13 GRANTING IMMUNITY FROM LIABILITY TO PSYCHOLOGISTS WHO REPORT  
14 VIOLATIONS IN GOOD FAITH; AMENDING SECTIONS 37-17-102,  
15 37-17-104, 37-17-302, 37-17-303, 37-17-311, AND 50-16-302,  
16 MCA; AND PROVIDING AN APPLICABILITY DATE."

17  
18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

19 Section 1. Section 37-17-102, MCA, is amended to read:

20 "37-17-102. Definitions. Unless the context requires  
21 otherwise, in this chapter the following definitions apply:

22 (1) "Accredited college or university" means a college  
23 or university accredited by the regional accrediting  
24 association for institutions of higher learning, such as the  
25 northwest association of secondary and higher schools.

1 (2) "Board" means the board of psychologists provided  
2 for in 2-15-1851.

3 (3) "Department" means the department of commerce  
4 provided for in Title 2, chapter 15, part 18.

5 (4) A person represents himself to be a "psychologist"  
6 when he holds himself out to the public by a title or  
7 description of services incorporating the words  
8 "psychologist", "psychological", "psychologic", or  
9 "psychology" and offers to render or renders psychological  
10 services defined in subsection (5) of this section to  
11 individuals, groups, corporations, or the public, whether or  
12 not he does so for compensation or fee.

13 (5) (a) "Practice of psychology" means the  
14 application, ~~while representing oneself to be a~~  
15 ~~psychologist, of principles, methods, and procedures of~~  
16 ~~understanding, predicting, and influencing behavior, such as~~  
17 ~~the principles pertaining to learning, perception,~~  
18 ~~motivation, thinking, emotions, and interpersonal~~  
19 ~~relationships, the methods and procedures of interviewing,~~  
20 ~~counseling, and behavior modification, including~~  
21 ~~psychotherapeutic techniques and hypnosis, and constructing,~~  
22 ~~administering, and interpreting tests of mental abilities,~~  
23 ~~aptitudes, interests, attitudes, personality~~  
24 ~~characteristics, emotions, and motivation observation,~~  
25 description, interpretation, and modification of human

1 behavior by the application of psychological principles,  
 2 methods, and procedures for the purpose of eliminating  
 3 symptomatic, maladaptive, or undesired behavior and  
 4 improving interpersonal relations, work and life adjustment,  
 5 personal effectiveness, and mental health.

6 (b) The practice of psychology includes but is not  
 7 limited to psychological testing and evaluation or  
 8 assessment of personal characteristics such as intelligence,  
 9 personality, abilities, interests, aptitudes, and  
 10 neuropsychological functioning; counseling, psychoanalysis,  
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 23 themselves out to the public by a title or description  
 24 incorporating the words "psychology" or "psychologist";

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 2 on the part of a person in the employ of a federal, state,  
 3 county, or municipal agency or of other political  
 4 subdivisions or an educational or charitable institution  
 5 insofar as these activities and services are a part of the  
 6 duties of his office or position with the agency or  
 7 institution;

8 (3) the activities and services of a student, intern,  
 9 or resident in psychology pursuing a course of study at an  
 10 accredited university or college or working in a generally  
 11 recognized training center if these activities and services  
 12 constitute a part of his supervised course of study;

13 (4) the activities and services of a person who is not  
 14 a resident of this state in rendering consulting  
 15 psychological services in this state when these services are  
 16 rendered for a period which does not exceed, in the  
 17 aggregate, 60 days during a calendar year if the person is  
 18 authorized under the laws of the state or country of his  
 19 residence to perform these activities and services; however,  
 20 these persons shall report to the department the nature and  
 21 extent of the services in this state if they exceed 10 days  
 22 in a calendar year;

23 (5) a person authorized by the laws of the state or  
 24 country of his former residence to perform activities and  
 25 services, who has recently become a resident of this state

1 and who has applied for a license in this state, from  
2 performing such activities and services pending disposition  
3 of his application;

4 (6) the use of the term "social psychologist" by a  
5 person who:

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7 sociology or social psychology from an institution and whose  
8 credits in sociology or social psychology are acceptable by  
9 a recognized educational institution;

10 (b) has passed comprehensive examinations in the field  
11 of social psychology as part of the requirement for the  
12 doctoral degree or who has had equivalent specialized  
13 training in social psychology; and

14 (c) has filed with the department a statement of facts  
15 demonstrating his compliance with this subsection;

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17 person exempted from licensing requirements by virtue of his  
18 employment;

19 (8) activities of a psychological nature on the part  
20 of a person who is a salaried employee of an accredited  
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22 laboratory, or business corporation if he is performing the  
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24 the confines of the organization."

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2 Application for examination for licensing a psychologist  
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6 examination, and submits evidence by oath that he:

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8 intent to become a resident of this state at the time he is  
9 licensed;

10 (b) is at least 18 years of age;

11 (c) is of good moral character;

12 (d) (i) has received a doctoral degree based-on-a  
13 program-of-studies,-primarily-psychological-in--content, in  
14 clinical psychology from an accredited college or university  
15 having an appropriate graduate program approved by the  
16 American psychological association; or

17 (ii) has received a doctoral degree in clinical  
18 psychology from an accredited college or university not  
19 approved by the American psychological association and has  
20 successfully completed a formal graduate retraining program  
21 IN CLINICAL PSYCHOLOGY approved by the American  
22 psychological association; or OR

23 (iii)-has-received-a-doctoral-degree-in-psychology-from  
24 an-accredited-college-or-university--after--successfully  
25 completing-a-course-of--studies--that--meets--the--minimum

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 3 ~~COLLEGE OR UNIVERSITY, AND WHOSE COURSE OF STUDIES MEETS~~  
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5 (e) has completed at the time of application a minimum  
 6 of 2 years of experience in the practice, research, or  
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 3 ~~proof. The board may refuse or revoke a license applied for~~  
 4 ~~or issued under this chapter or apply other disciplinary~~  
 5 ~~sanctions on finding that the person to whom the license was~~  
 6 ~~issued:~~

7 (a) has been guilty of fraud or deceit in securing the  
 8 license or a renewal;

9 (b) is using or has used a narcotic or an alcoholic  
 10 beverage to an extent that the use impairs his ability to  
 11 perform the work of a professional psychologist with safety  
 12 to the public; or

13 (c) has been guilty of unprofessional conduct as  
 14 defined by the code-of-ethics rules adopted by the board.

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 17 unless the person is given notice and opportunity for a  
 18 hearing before the board."

19 Section 6. Section 50-16-302, MCA, is amended to read:

20 "50-16-302. Definitions. As used in this part, the  
 21 following definitions apply:

22 (1) "Health care provider" means a person,  
 23 corporation, facility, or institution licensed by this state  
 24 to provide health care services.

25 (2) "Health care services" means medical or

1 psychological diagnosis, treatment, medical evaluation,  
2 advice, or other activities permitted under the health care  
3 licensing statutes of this state.

4 (3) "Confidential health care information" means  
5 information obtained by a health care provider relating to  
6 health care history, diagnosis, condition, treatment, or  
7 evaluation.

8 (4) "Peer review committee" means a committee of a  
9 state or local professional medical-society organization of  
10 health care providers or of a medical staff of a licensed  
11 hospital or other health care facility that is operated  
12 pursuant to written bylaws approved by the governing board  
13 of the hospital or other health care facility or approved by  
14 an organization of health care providers and formed pursuant  
15 to state or federal law and authorized by law to evaluate  
16 health care services.

17 (5) "Third party" means a person or entity other than  
18 the person to whom the confidential health care information  
19 relates and other than a health care provider.

20 (6) "Qualified person" means a person whose training  
21 and experience is appropriate to the nature and level of  
22 work in which he is engaged and who, when working as part of  
23 an organization, is performing the work with published and  
24 adequate administrative safeguards against unauthorized  
25 disclosures.

1 (7) "Administration" includes but is not limited to  
2 accreditation, reimbursement, liability risk management,  
3 appraisal, and defense or prosecution of legal actions."

4 NEW SECTION. Section 7. Immunity from liability.  
5 There is no liability on the part of and no cause of action  
6 may arise against a psychologist for a statement made in  
7 good faith in reporting another psychologist's apparent  
8 violation of the provisions of this chapter or rules adopted  
9 by the board.

10 NEW SECTION. Section 8. Extension of authority. Any  
11 existing authority of the board of psychologists to make  
12 rules on the subject of the provisions of this act is  
13 extended to the provisions of this act.

14 NEW SECTION. Section 9. Codification instruction.  
15 Section 7 is intended to be codified as an integral part of  
16 Title 37, chapter 17, part 3, and the provisions of Title 37  
17 apply to section 7.

18 NEW SECTION. Section 10. Applicability date. Section  
19 3 applies to individuals who apply for initial licensure  
20 under 37-17-302 on or after October 1, 1987.

-End-

# STANDING COMMITTEE REPORT

## SENATE

March 11, 1987

MR. PRESIDENT

We, your committee on BUSINESS AND INDUSTRY

having had under consideration HOUSE BILL No. 443

THIRD reading copy ( BLUE )  
color

REVISING LAWS RELATING TO PRACTICE AND LICENSURE OF PSYCHOLOGY

CORNE ( WILLIAMS )

Respectfully report as follows: That HOUSE BILL No. 443  
be amended as follows:

1. Statement of Intent, line 9.

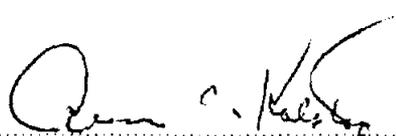
Following: "licensees."

Insert: "Using the ethical standards of american psychological association as a guide, the board shall adopt rules consistent with its duty to protect the public's health, safety, and welfare."

AND AS AMENDED,  
BE CONCURRED IN

~~XXXXXXXX~~

~~XXXXXXXXXX~~

  
SENATOR ALLEN C. KOLSTAD, Chairman.

3-14-87  
1-14  
0-17