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Judiciary

1 IN THE HOUSE

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2 HOUSE BILL NO. 116

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to licensure of psycholo-  
7 gists; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 08 is amended by adding a new chapter to read:

10 CHAPTER 86. PSYCHOLOGISTS.

11 ARTICLE 1. BOARD OF PSYCHOLOGIST EXAMINERS.

12 Sec. 08.86.010. CREATION AND MEMBERSHIP OF BOARD.

13 There is created a Board of Psychologist Examiners. It con-  
14 sists of three licensed psychologists.

15 Sec. 08.86.020. APPOINTMENT AND TERM OF OFFICE. Mem-  
16 bers of the board are appointed by the governor and confirmed  
17 by the legislature for staggered terms of three years. A  
18 member serves at the pleasure of the governor.

19 Sec. 08.86.030. BOARD MEETINGS. The board shall hold  
20 a regular annual meeting. The board may hold special meet-  
21 ings at the call of the chairman or of two board members.

22 Sec. 08.86.040. ASSISTANTS. The board may employ  
23 assistants to prepare and grade examinations and to investi-  
24 gate alleged violations of this chapter.

25 Sec. 08.86.050. TRANSPORTATION AND PER DIEM. A board  
26 member is entitled to transportation expenses and per diem  
27 allowances specified in AS 39.20.180.

28 ARTICLE 2. ADMINISTRATION OF BOARD AFFAIRS.

29 Sec. 08.86.070. DUTIES OF THE BOARD. The board shall

1                   (1) pass on qualifications of applicants for  
2 licenses and issue licenses to those who qualify;

3                   (2) prepare, administer and grade oral or written  
4 examinations;

5                   (3) after hearing, suspend or revoke the license  
6 of a licensed psychologist who violates a regulation of the  
7 board.

8                   Sec. 08.86.080. BOARD REGULATIONS. The board shall  
9 adopt regulations to carry out the purposes of this chapter.

10                   Sec. 08.86.090. ADMINISTRATIVE DUTIES OF THE DEPARTMENT.  
11 The department shall furnish administrative services for the  
12 board.

13                   Sec. 08.86.100. APPLICABILITY OF THE ADMINISTRATIVE  
14 PROCEDURE ACT. The Administrative Procedure Act (AS 44.62)  
15 applies to regulations and proceedings under this chapter.

16                   ARTICLE 3. LICENSING.

17                   Sec. 08.86.120. ENTITLEMENT TO LICENSURE. A person  
18 who passes the examination given by the board is entitled to  
19 be licensed as a psychologist.

20                   Sec. 08.86.130. QUALIFICATION FOR EXAMINATION. A  
21 person is entitled to take an examination if the board finds  
22 he

23                   (1) has not engaged in dishonorable conduct  
24 relevant to the practice of psychology;

25                   (2) holds a doctoral degree with primary emphasis  
26 on psychology from an accredited school;

27                   (3) has at least one year's experience acceptable  
28 to the board.

29                   Sec. 08.86.140. FEES. Each application fee, renewal

1 fee, and out-of-state license fee is \$15. The fee for a  
2 duplicate license is \$2.

3 Sec. 08.86.150. OUT-OF-STATE LICENSE. A person who is  
4 licensed or certified as a psychologist by an authority other  
5 than Alaska is entitled to be licensed in Alaska without  
6 examination if

7 (1) he holds a doctoral degree with primary  
8 emphasis on psychology from an accredited school; and

9 (2) either the examination and qualification re-  
10 quirements for his out-of-state license or certificate were  
11 essentially similar to the examination and qualification  
12 requirements for licensure in Alaska at the time he was  
13 licensed, or he is a diplomate in good standing of the  
14 American Board of Examiners in Professional Psychology or  
15 or both; and

16 (3) he completes and returns the proper applica-  
17 tion forms, and pays the out-of-state certificate fee.

18 ARTICLE 4. PROHIBITIONS AND PENALTIES.

19 Sec. 08.86.170. USE OF TITLE. Unless he is licensed  
20 under this chapter, no person may use the title "psycholo-  
21 gist" or any title, designation, or device indicating or  
22 tending to indicate that he is a psychologist or practices  
23 psychology.

24 Sec. 08.86.180. PRACTICE OF PSYCHOLOGY. (a) Unless he  
25 is licensed under this chapter, no person may practice  
26 psychology, offer to practice psychology, or represent to  
27 the public that he is a psychologist or that he practices  
28 psychology.

29 (b) This section does not apply to

1 (1) a person employed by a governmental unit or  
2 educational institution, in the course of his employment or  
3 in applying for such employment.

4 (2) a student, intern, or resident in psychology  
5 pursuing a course of study approved by the board as qualify-  
6 ing training and experience for psychologists, if his acti-  
7 vities constitute a part of his supervised course of study  
8 and he is designated by titles such as "psychology intern"  
9 or "psychology trainee";

10 (3) a qualified member of another profession,  
11 such as a social worker, or pastoral counselor, in doing work  
12 of a psychological nature consistent with his training and  
13 consistent with the code of ethics of his profession:

14 (4) a person describing himself as a "social psy-  
15 chologist", if he is verified to be a social psychologist  
16 by the American Sociological Society;

17 (5) a person practicing medicine, if he is  
18 licensed to practice medicine.

19 (c) Nothing in this chapter authorizes a person  
20 licensed as a psychologist to engage in the practice of  
21 medicine, as defined by the laws of the state.

22 Sec. 08.86.190. NAME UNDER WHICH PERSON PRACTICES. A  
23 licensed psychologist may practice psychology only under his  
24 own name.

25 Sec. 08.86.200. CONFIDENTIALITY OF COMMUNICATION. No  
26 psychologist may reveal to another person a communication  
27 made to him by a client of his about a matter concerning  
28 which the client has employed the psychologist in a profes-  
29 sional capacity. This section does not apply to a case

1 conference with other psychologists or with physicians and  
2 surgeons, or in the case in which the client in writing  
3 authorizes the psychologist to reveal a communication.

4 Sec. 08.86.210. PENALTY. A person who violates sec.  
5 170, sec. 180, or sec. 190 of this chapter is guilty of a  
6 misdemeanor.

7 ARTICLE 5. GENERAL PROVISIONS.

8 Sec. 08.86.230. DEFINITIONS. In this chapter

9 (1) "psychologist" means a person who practices  
10 psychology;

11 (2) "to practice psychology" means to apply  
12 established principles of learning, motivation, perception,  
13 thinking, and emotional relationships to problems of person-  
14 nel evaluation, group relations, and behavior adjustment,  
15 including

16 (A) counseling and guidance,

17 (B) using psychotherapeutic techniques with  
18 persons or groups of persons who have adjustment prob-  
19 lems in the family, at school, or at work,

20 (C) measuring and testing of personality,  
21 intelligence, aptitudes, emotions, public opinion, and  
22 attitudes and skills,

23 (D) conducting research on human behavior;

24 (3) "board" means the Board of Psychologist  
25 Examiners;

26 (4) "department" means the Department of Commerce.

27 \* Sec. 2. A person who applies for a license under this chapter  
28 before January 1, 1966, and who pays a fee of \$15 is entitled to  
29 a license without examination, if the board finds he

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(1) has never engaged in dishonorable conduct relevant to the practice of psychology; and

(2) either holds a doctoral degree with primary emphasis on psychology from an accredited school, and has had at least one year of experience in Alaska in the practice of psychology following receipt of his doctoral degree; or holds a master's degree or its equivalent with primary emphasis in psychology from an accredited school and has had at least five years of experience, including one year in Alaska, in the practice of psychology following receipt of his master's degree or its equivalent.

\* Sec. 3. The governor may appoint to the initial board unlicensed psychologists who are eligible to be licensed under sec. 2 of this Act, and who will have practiced psychology in Alaska for at least two years before January 1, 1966.

\* Sec. 4. This Act takes effect July 1, 1965.

