

Original Sponsors: Thomas,
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Offered: 3/18/67
Referred: Health,
Welfare and Education

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 53

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to licensure of psychologists; and
7 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. There is
13 created a Board of Psychologist Examiners. It consists of three
14 licensed psychologists.

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

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

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

25 Sec. 08.86.050. TRANSPORTATION AND PER DIEM. Notwithstanding
26 the provisions of AS 39.20, no board member is entitled to transporta-
27 tion or per diem allowance.

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 licenses and
2 issue licenses to those who qualify;

3 (2) prepare and grade examinations;

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

6 Sec. 08.86.080. BOARD REGULATIONS. The board shall adopt regula-
7 tions to carry out the purposes of this chapter.

8 Sec. 08.86.090. ADMINISTRATIVE DUTIES OF THE DEPARTMENT. The
9 department shall furnish administrative services for the board.

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

13 ARTICLE 3. LICENSING.

14 Sec. 08.86.120. ENTITLEMENT TO LICENSURE. A person who passes
15 the examination given by the board is entitled to be licensed as a
16 psychologist.

17 Sec. 08.86.130. QUALIFICATION FOR EXAMINATION. A person is
18 entitled to take an examination if the board finds he

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

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

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

25 Sec. 08.86.140. FEES. Each application fee, renewal fee, and
26 out-of-state license fee is \$15. The fee for a duplicate license is
27 \$2.

28 Sec. 08.86.150. OUT-OF-STATE LICENSE. A person who is licensed
29 or certified as a psychologist by an authority other than Alaska is

entitled to be licensed in Alaska without examination if

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

(2) the examination and qualification requirements for his out-of-state license or certificate were essentially similar to the examination and qualification requirements for licensure in Alaska at the time he was licensed; or

(3) he is a diplomate in good standing of the American Board of Examiners in Professional Psychology; and

(4) he completes and returns the proper application forms, and pays the out-of-state certificate fee.

ARTICLE 4. PROHIBITIONS AND PENALTIES.

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

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

(b) This section does not apply to

(1) a person employed by a governmental unit or educational institution who may be required to engage in some phase of work of a psychological nature in the course of his employment;

(2) a student, intern, or resident in psychology pursuing a course of study approved by the board as qualifying training and experience for psychologist, if his activities constitute a part of his supervised course of study and he is designated by titles such as "psychology intern" or "psychology trainee";

1 (3) a qualified member of another profession, such as a
2 social worker, or pastoral counselor, in doing work of a psychological
3 nature consistent with his training and consistent with the code of
4 ethics of his profession;

5 (4) a person describing himself as a "social psychologist",
6 if he is verified to be a social psychologist by the American Sociologi-
7 cal Society;

8 (5) a person practicing medicine, if he is licensed to
9 practice medicine.

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

13 Sec. 08.86.190. NAME UNDER WHICH PERSON PRACTICES. A licensed
14 psychologist may practice psychology only under his own name.

15 Sec. 08.86.200. CONFIDENTIALITY OF COMMUNICATION. No psycholo-
16 gist may reveal to another person a communication made to him by a
17 client of his about a matter concerning which the client has employed
18 the psychologist in a professional capacity. This section does not
19 apply to a case conference with other psychologists or with physicians
20 and surgeons, or in the case in which the client in writing authorizes
21 the psychologist to reveal a communication.

22 Sec. 08.86.210. PENALTY. A person who violates sec. 170, sec.
23 180, or sec. 190 of this chapter is guilty of a misdemeanor.

24 ARTICLE 5. GENERAL PROVISIONS.

25 Sec. 08.86.230. DEFINITIONS. In this chapter

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

27 (2) "to practice psychology" means to apply established
28 principles of learning, motivation, perception, thinking, and emotional
29 relationships to problems of personnel evaluation, group relations,

1 and behavior adjustment, including

2 (A) counseling and guidance,

3 (B) using psychotherapeutic techniques with persons or
4 groups of persons who have adjustment problems in the family, at
5 school, or at work,

6 (C) measuring and testing of personality, intelligence,
7 aptitudes, emotions, public opinion, and attitudes and skills,

8 (D) conducting research on human behavior;

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

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

11 * Sec. 2. A person who applies for a license under this chapter before
12 January 1, 1968, and who pays a fee of \$15 is entitled to a license without
13 examination, if the board finds he

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

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

23 * Sec. 3. The governor may appoint to the initial board unlicensed
24 psychologists who are eligible to be licensed under sec. 2 of this Act, and
25 who will have practiced psychology in the state for at least two years
26 before January 1, 1968.

27 * Sec. 4. AS 39.20.180 is amended to read:

28 Sec. 39.20.180. TRANSPORTATION AND PER DIEM EXPENSES FOR MEMBERS
29 OF BOARDS, COMMISSIONS, ETC. Except as otherwise provided by law,

1 from and after March 27, 1962, the provisions in this section relating
2 to per diem and transportation govern exclusively and supersede all
3 other provisions of law with respect to a member of a state board,
4 commission, committee, judicial council, or other similar body of
5 persons of the state organized or established under the authority of
6 law, but excluding any other state employee other than a legislator,
7 who is otherwise entitled by law to receive from the state payments for
8 expenses of transportation, and for reimbursement or for per diem in
9 lieu of reimbursement for other expenses incident to his duties as such
10 member:

11 (1) For transportation, the member is entitled either to the
12 use of state transportation requests, or to be reimbursed for expenses
13 of transportation to the same extent, in the same manner, and under the
14 same conditions as provided for state officials and employees by the
15 provisions of secs. 110 - 170 of this chapter.

16 (2) For reimbursement for other expenses, the member is
17 entitled to per diem at the rate of \$35 a day for each day or portion
18 of a day spent in actual meeting or an authorized official business
19 incident to his duties as such member.

20 * Sec. 5. This Act takes effect July 1, 1967.