

MAINE STATE LEGISLATURE

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CHAPTER 57
PSYCHOLOGISTS

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SUBCHAPTER I

GENERAL PROVISIONS

Sec.

3851. Practice of medicine not authorized.

3852. Penalties.

§ 3851. Practice of medicine not authorized

Nothing in this chapter shall authorize any person to engage in any manner in the practice of medicine.

R.S.1954, c. 67, § 9.

§ 3852. Penalties

It shall be unlawful for any person not certified as provided in this chapter to designate himself by the words "certified psychologist" or by any other term which implies that he is a certified psychologist, and upon conviction thereof shall be punished by a fine of not more than \$300. The board shall have the authority, including the right of subpoena, to investigate facts relating to the violation of this chapter.

R.S.1954, c. 67, § 7.

SUBCHAPTER II

BOARD OF EXAMINERS

Sec.

3901. Membership; term; vacancies; removal.

3902. Meetings; organization; powers and duties.

3903. Waiver or suspension of certificates.

3904. Disposal of fees.

3905. Annual reports.

§ 3901. Membership; term; vacancies; removal

A State Board of Examiners for the Certification of Psychologists, as heretofore established, shall administer this chapter and shall in this chapter be called the "board." The board shall be composed of 3 psychologists appointed by the Governor from a list of 5 psychologists recommended by the executive council of the Maine Psychological Association. At the expiration of the term of office of a member, a new appointment shall be made for a 3-year term. All vacancies on the board shall be filled from lists of qualified psychologists recommended by the executive council of the Maine Psychological Association for the unexpired term. Any member of said board may be removed from office, for cause, by the Governor and his Executive Council.

R.S.1954, c. 67, § 1.

§ 3902. Meetings; organization; powers and duties

The board shall hold at least one meeting each year for the purpose of conducting examinations of candidates who desire to be certified by the board and such other meetings as the board shall deem necessary. They shall elect one of their members as chairman for a term of one year and one of their members as secretary and treasurer, to hold such office at the pleasure of the board. The treasurer shall receive all fees charged and assessments payable to the board, and account for and pay over the same according to the law. The board shall cause a seal of suitable inscription to be procured and to be affixed to such papers as may require such seal, shall keep a correct record of all its proceedings and shall have power to make such rules and regulations not inconsistent with law as it may deem necessary for the enforcement of its authority and the performance of its duties. The chairman and secretary shall be empowered to administer oaths in matters connected with the duties of the board. The records of the board shall include, among other things, a record of all moneys advanced and disbursed by said board, also a list of all applicants for certificates, and the fact shall be recorded whether or not the applicant was granted a certificate. Said records, or duplicates thereof, shall always be open to inspection in the office of the Secretary of State during regular office hours and shall be prima facie evidence of all matters recorded therein.

R.S.1954, c. 67, § 2.

§ 3903. Waiver or suspension of certificates

The Administrative Hearing Commissioner, as designated in Title 5, chapters 301 to 307, shall revoke any certificate if the certificate holder is convicted of a crime involving moral turpitude or is found to have employed fraud or deceit in obtaining his certificate or is guilty of professional misconduct. Upon application after one year from date of revocation, the board may grant reinstatement, where the revocation is for misconduct in his profession. No certificate shall be revoked or suspended except for cause, after notice and hearing.

R.S.1954, c. 67, § 6; 1961, c. 394, § 23; 1963, c. 412, § 23.

§ 3904. Disposal of fees

All fees charged and collected by the board shall be deposited by it in the State Treasury to the credit of the board. All such moneys are appropriated to be used by the board in carrying out this chapter. The expenditures of the board may be paid only from such moneys.

R.S.1954, c. 67, § 8.

§ 3905. Annual reports

The board shall annually, on or before the first day of July in each year, make a report to the Governor containing a full and complete account of all its official records during the preceding year, and a statement of its receipts and disbursements and such comments or suggestions as it may deem essential.

R.S.1954, c. 67, § 10.

SUBCHAPTER III

REGISTRATION

Sec.

3951. Application fee; qualifications.

3952. Renewals; fee.

3953. Waiver; reciprocity.

§ 3951. Application fee; qualifications

No person shall hold himself out as a "certified psychologist" without a certificate granted by the board. Before granting any such certificate the board shall require any applicant therefor

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to pass an examination in psychology. An application shall be filed with the secretary of the board at least 7 days before the date of examination together with an application fee of \$15, which will not be refunded. Each applicant shall satisfy the board that he:

1. **Age.** Is at least 21 years of age;
2. **Character.** Is of good moral character and is ethical in the practice of psychology;
3. **Citizenship.** Is a citizen of the United States or has filed a declaration of intention to become a citizen of the United States or has filed application for naturalization;
4. **Residency.** Is a resident of the State of Maine;
5. **Education.** Has received a doctorate or master's degree with a major in psychology, which may include educational and child psychology, from an accredited college or university, or training deemed equivalent by the board;
6. **Experience.** Has had one year's experience of a type satisfactory to the board in the practice of psychology; and
7. **Previous examination failure.** Has not, within the preceding 6 months, failed an examination given by the board.

R.S.1954, c. 67, § 3.

§ 3952. Renewals; fee

Every certificate holder may renew his certification by payment of a \$5 fee every 5 years and shall receive a renewal certificate. Any certificate holder who allows his certificate to lapse for a period in excess of 5 years must apply for recertification by examination and again pay the \$15 application fee. Any certificate holder who does not renew his certificate within 3 months after the renewal date shall no longer hold himself out as a certified psychologist.

R.S.1954, c. 67, § 5.

§ 3953. Waiver; reciprocity

The board may waive the requirement of section 3951, subsection 4, if it is believed to be in the public interest. The board may waive an examination and the requirements of section 3951, subsection 5, for any person who is qualified by training and experience to practice psychology and who had been engaged in such

practice for at least 3 years prior to August 8, 1953. The board may grant a certificate without examination to any person who, at the time of application, is licensed or certified by a similar board of another state whose standards, in the opinion of the board, are not lower than those required by this chapter. The board may grant a certificate without examination to any diplomate of the American Board of Examiners in Professional Psychology.

R.S.1954, c. 67, § 4.