

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1087

H. P. 887

House of Representatives, March 8, 1979

Referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Smith of Mars Hill.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

AN ACT Concerning Licensing of Psychologists.

Be it enacted by the People of the State of Maine, as follows:

**Sec. 1.** 32 MRSA § 3836, as amended by PL 1973, c. 625, § 219, is repealed and the following enacted in its place:

**§ 3836. Licensure by reciprocity**

The board may, at any time at its discretion, grant a license without an assembled examination to any person residing or employed in the State and 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 make such rules and regulations as necessary in connection with this section, including, but not limited to, the defining of any terms found herein.

**Sec. 2.** 32 MRSA § 3836-A is enacted to read:

**§ 3836-A. Temporary licensure**

**1. Issuance of temporary license without examination.** The board, at its discretion, may grant a temporary license at the appropriate level for a period not to exceed one year to an applicant for a permanent license who has:

**A. Fulfilled the requirements of section 3831 in all respects other than the passing of the required oral and written examinations:**

**B. Registered to take the examination, as provided in section 3832, at its next offering; and**

**C. Contracted with a psychologist in good standing, practicing in the State of Maine and duly licensed by the board, to supervise the applicant during the entire period of his temporary licensure;**

**2. Procedures.**

**A. When an applicant initiates a request for temporary licensure pursuant to subsection 1, he shall submit with his request:**

**(1) Application materials for a permanent license as established by the board, including evidence of his qualifications as required under section 3831;**

**(2) Letters of reference from 3 psychologists who are knowledgeable about the applicant's abilities, training and work; and**

**(3) An affidavit from a licensed Maine psychologist, who will supervise the work of the applicant during the period of his temporary licensure, which attests to that psychologist's assumption of responsibility and accountability for the services rendered by the applicant while under this supervision.**

**B. The request for temporary licensure shall be acted upon by the board with due speed and the applicant shall receive notice of the board's determination within 30 days of the board's receipt of all application materials required under subsection 2, paragraph A.**

**C. The board may make such other rules and regulations as may be necessary in connection with this section, including, but not limited to, the defining of any terms found herein.**

**3. Fees. Any person who applies for a temporary license pursuant to subsection 1 shall pay a fee, to be established by the board.**

**STATEMENT OF FACT**

The purpose of this bill is to define, in specific terms, the conditions under which a temporary license will be granted to an applicant for a permanent license. Under the existing statute, the State Board of Examiners of Psychologists has declined to exercise its discretion in the granting of temporary licenses. Currently, the board issues special licenses on the basis of reciprocity alone and has refused to consider other grounds without the specific statutory authority to do so. This bill provides, not only guidelines for the board to follow in the issuance of temporary licenses, but also the legislative mandate to authorize the issuance of the licenses.