

MAINE STATE LEGISLATURE

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1 (After Deadline)

2 SECOND REGULAR SESSION
3

4 ONE HUNDRED AND ELEVENTH LEGISLATURE
5

6 Legislative Document

No. 2362

8 H.P. 1786

House of Representatives, March 27, 1984

9 Approved for introduction by a majority of the Legislative Council
10 pursuant to Joint Rule 27.

11 Reference to the Committee on Business Legislation is suggested and
ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Nelson of Portland.
12

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FOUR
17

18 AN ACT to Provide a Transition Period for
19 Certain Educational Equivalence Provisions in
20 the Psychologists License Law.
21

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

24 32 MRSA §3831, sub-§2, as amended by PL 1983, c.
25 468, §22, is further amended to read:

26 2. Psychologist. Any person wishing to obtain
27 the right to practice as a psychologist, who has not
28 heretofore been licensed to do so, shall, before it
29 shall be lawful for him to practice psychology, make
30 application to the Board of Examiners of Psycholo-
31 gists through the chairman, upon such form and in
32 such manner as shall be adopted and prescribed by the
33 board, and obtain from the board a license to do so.

1 Unless such a person has obtained a license, it shall
2 be unlawful for him to practice, and if he shall
3 practice psychology without first having obtained a
4 license, he shall be deemed to have violated this
5 chapter. A candidate for such license shall furnish
6 the board with satisfactory evidence that he is of
7 good moral character; has received a doctorate degree
8 reflecting comprehensive training in psychology from
9 an accredited institution recognized by the board as
10 maintaining satisfactory standards, at the time the
11 degree was granted; has had at least 2 years of expe-
12 rience in psychology of a type considered by the
13 board to be qualifying in nature; is competent in
14 psychology, as shown by passing such examinations,
15 written or oral, or both, as the board deems neces-
16 sary; is not considered by the board to be engaged in
17 unethical practice; and has not within the preceding
18 6 months failed an examination given by the board.

19 Notwithstanding this subsection, the educational re-
20 quirements of this subsection shall be deemed satis-
21 fied by an applicant who, on or before December 31,
22 1989, has received a doctorate in counselor education
23 from an accredited institution recognized by the
24 board as maintaining satisfactory standards. The
25 board may by rule make reasonable requirements of
26 courses to be taken by these applicants which are es-
27 sential to the practice of psychology. An applicant
28 meeting the educational requirement of this paragraph
29 remains subject to the examination and other require-
30 ments of this subsection.

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STATEMENT OF FACT

2 A measure passed in the First Regular Session of
3 the 111th Legislature removed a provision in the psy-
4 chologists license law which allowed the educational
5 requirement for licensure to be satisfied by a
6 doctorate in a field other than psychology, subject
7 to an academic equivalence standard. That measure has
8 created a hardship on persons having or currently
9 seeking a Doctorate in Education in counselor educa-
10 tion. These individuals were previously considered
11 qualified to sit for the examination and meet the
12 other requirements for licensing as psychologists.

13 This bill provides a limited period for these in-
14 dividuals to complete their training, whereupon they
15 could pursue licensure. In order to assure the quali-
16 fications of these candidates, the State Board of Ex-
17 aminers of Psychologists is given rulemaking authori-
18 ty to prescribe specific courses which a candidate
19 might require in order to adequately protect the pub-
20 lic interest in qualified practitioners. This author-
21 ity is carefully circumscribed to assure that the in-
22 tent of the statutory mandate is not defeated by bur-
23 densome or unnecessary requirements. That these can-
24 didates were previously licensed by the board is evi-
25 dence that reasonable curricular requirements can be
26 fashioned.

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