

# MAINE STATE LEGISLATURE

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DOE  
R. of S.

L.D. 800

(Filing No. S- 149 )

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STATE OF MAINE  
SENATE  
116TH LEGISLATURE  
FIRST REGULAR SESSION

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to S.P. 262, L.D. 800, Bill, "An Act Regarding the Credentialing of School Psychological Service Providers"

Amend the amendment by striking out everything after the title and before the statement of fact and inserting in its place the following:

'Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 5 MRSA §12004-I, sub-§4, as enacted by PL 1989, c. 808, §1, is repealed.

Sec. 2. 5 MRSA §12004-I, sub-§12-A is enacted to read:

12-A. Education                      Advisory                      32 MRSA  
Committee on                      §3841  
School  
Psychological  
Service  
Providers

Sec. 3. 32 MRSA §3840, as amended by PL 1989, c. 700, Pt. A, §148, is repealed.

Sec. 4. 32 MRSA c. 56-A is enacted to read:

CHAPTER 56-A

SCHOOL PSYCHOLOGICAL SERVICE PROVIDERS

§3841. School psychological service providers

**SENATE AMENDMENT**

2           1. Definition. For purposes of this section, a "school  
4           psychological service provider" is a professional who provides  
6           psychological assessment, consultation or direct services, other  
          than psychotherapy, to students enrolled in a public school or  
          approved private school.

8           2. Licensure by commissioner. The Commissioner of  
10           Education shall license school psychological service providers  
12           pursuant to rules adopted by the State Board of Education. The  
14           rules must include a code of ethics and practice standards for  
          school psychological service providers, violation of which  
          constitutes grounds for suspension or revocation of the license.

16           3. Qualifications. State Board of Education rules  
18           governing the qualifications for a school psychological service  
20           provider license must require that a license be issued only to an  
          applicant who has met the academic and preprofessional  
          requirements established by the State Board of Education for the  
          provision of school psychological services and who, at a minimum:

22           A. Holds a graduate degree from an accredited program in  
24           school psychology that was approved by the National  
26           Association of School Psychologists/National Council for  
          Accreditation of Teacher Education or the American  
          Psychological Association in School Psychology at the time  
          the degree was awarded;

28           B. Has completed graduate work that is determined by the  
30           Commissioner of Education to be substantially similar to the  
32           programs referred to in paragraph A; or

34           C. Holds a valid license from the State Board of Examiners  
36           of Psychologists with demonstrated competency in the area of  
          school psychology as established by the State Board of  
          Education.

38           4. Term of issuance. The Commissioner of Education shall  
40           issue a school psychological service provider license for a term  
42           of years consistent with rules adopted by the State Board of  
44           Education. The length of the term may vary among license holders  
46           so as to be coterminous with any other professional license or  
          certificate held by the school psychological service provider.  
          The school psychological service provider license may be renewed  
          in accordance with academic and professional requirements  
          established by the State Board of Education.

48           5. Exclusive regulatory authority. The provisions of  
50           chapter 56 do not apply to persons licensed as school  
          psychological service providers under this section except to the

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2 extent that such persons are also licensed or seek licensure  
3 under that chapter, engage in the practice of psychology beyond  
4 the scope of this section or hold themselves out as psychologists  
5 or psychological examiners.

6 6. Designation. Persons licensed under this section may  
7 hold themselves out as school psychological service providers or  
8 may use any business name incorporating variations of that title  
9 but may not hold themselves out as psychologists, psychological  
10 examiners or any business name incorporating variations of those  
11 titles unless they are appropriately licensed under chapter 56.

12 7. Advisory committee. There is established within the  
13 department, in accordance with Title 5, section 12004-I,  
14 subsection 12-A, the Advisory Committee on School Psychological  
15 Service Providers, referred to in this subsection as the  
16 "committee."

17 A. The duties of the committee are:

18 (1) To advise the State Board of Education in the  
19 adoption of rules and a code of ethics and practice  
20 standards for school psychological service providers;  
21 and

22 (2) To assist the Commissioner of Education in:

23 (i) Licensing school psychological service  
24 providers;

25 (ii) Investigating alleged violations of the code  
26 of ethics and practice standards adopted by the  
27 State Board of Education; and

28 (iii) Investigating alleged violations of Title  
29 20-A, section 13020 and licensing rules governing  
30 school psychological service providers.

31 B. The committee consists of 9 members appointed by the  
32 Commissioner of Education. The membership consists of 2  
33 licensed psychological service providers, 2 licensed  
34 psychologists, one faculty member from a graduate program in  
35 school psychology, one educator from a public school or  
36 approved private school and 3 parents or guardians of  
37 students.

38 C. Three members of the committee must be initially  
39 appointed for a term of one year, 3 for a term of 2 years  
40 and 3 for a term of 3 years. All appointments must be for a  
41 term of 3 years thereafter. Any member may serve beyond the

# SENATE AMENDMENT

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SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to S.P. 262,  
L.D. 800

2 expiration date of that member's term until a successor has  
3 been appointed and qualified. Any vacancy on the committee  
4 must be filled for the unexpired portion of the term. The  
5 committee shall elect its own chair.

6 D. Members of the committee are entitled to receive  
7 compensation according to the provisions of Title 5, chapter  
8 379.

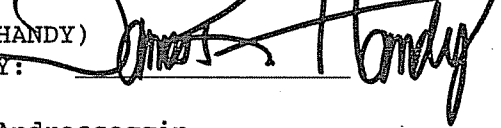
10 B. Transition. Persons certified as school psychologists  
11 and school psychological examiners on the effective date of this  
12 section may continue to provide the services authorized by their  
13 respective certificates until the scheduled expiration of those  
14 certificates. The State Board of Education's rules must contain  
15 a schedule affording all certified school psychologists and  
16 school psychological examiners a reasonable amount of time to  
17 meet the requirements of the license authorized by subsection 2.  
18

20 FISCAL NOTE

22 The Division of Special Education within the Department of  
23 Education will incur some additional costs for the meeting  
24 expenses of the Advisory Committee on School Psychological  
25 Service Providers. These costs can be absorbed within the  
26 division's existing budgeted resources.' '

28 STATEMENT OF FACT

30 This amendment combines Committee Amendment "A" and the bill  
31 and eliminates the certification requirement for school  
32 psychological service providers and replaces it with a licensing  
33 requirement.  
34

36  
38 (Senator HANDY)  
39 SPONSORED BY:   
40 COUNTY: Androscoggin  
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Reproduced and Distributed Pursuant to Senate Rule 12.  
(5/17/93) (Filing No. S-149)