

MAINE STATE LEGISLATURE

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N I N E T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 479

H. P. 432

House of Representatives, February 5, 1953

Referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Martin of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

AN ACT Creating a Board of Examiners of Psychologists.

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

R. S., c. 61-A, additional. The revised statutes are hereby amended by adding thereto a new chapter to be numbered 61-A, to read as follows:

‘CHAPTER 61-A.

BOARD OF EXAMINERS OF PSYCHOLOGISTS.

Sec. 1. The board. A state board of examiners for the certification of psychologists is hereby created whose duty it shall be to administer the provisions of this chapter and shall hereinafter be called “the board.” The board shall be composed of 3 psychologists and appointed by the governor from a list of 5 psychologists recommended by the executive council of the Maine psychological association for initial terms of 1, 2 and 3 years respectively. At the expiration of each of the aforesaid terms 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. Any member of said board may be removed from office for cause by the governor with the advice and consent of the aforementioned council.

Sec. 2. Meetings; organization; duties and powers. The board shall hold at least 1 meeting each year for the purpose of conducting examina-

tions 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 1 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.

Sec. 3. Psychologists to be registered; certification; fee. 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 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:

I. Is at least 21 years of age;

II. Is of good moral character and is ethical in the practice of psychology;

III. Is a citizen of the United States or has filed a declaration of intention to become a citizen of the United States;

IV. Is a resident of the state of Maine;

V. 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;

VI. Has had 1 year's experience of a type satisfactory to the board in the practice of psychology; and

VII. Has not, within the preceding 6 months, failed an examination given by the board.

Sec. 4. Board may waive certain requirements; reciprocity. The board may waive the requirement of subsection IV of section 3 if it is believed to be in the public interest. The board may waive an examination and the requirements of subsection V of section 3 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 at the time of the passage of this chapter. 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.

Sec. 5. Renewal 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 re-certification 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.

Sec. 6. Board may waive or suspend certificates. The board shall revoke any certificate if the certificate holder is convicted of a crime involving moral turpitude or is found by the board to have employed fraud or deceit in obtaining his certificate or is guilty of professional misconduct. Upon application after 1 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.

Sec. 7. Crime and penalty. 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 less than \$100, nor more than \$500. The board shall have the authority, including the right of subpoena, to investigate facts relating to the violation of this chapter.

Sec. 8. Disposition 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 hereby appropriated to be used by the board in carrying out the provisions of this chapter. The expenditures of the board may be paid only from such moneys.

Sec. 9. Practice of medicine unauthorized. Nothing herein shall authorize any person to engage in any manner in the practice of medicine.

Sec. 10. Board to make annual report to governor. The board shall annually, on or before the 1st 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; also a statement of its receipts and disbursements and such comments or suggestions as it may deem essential.