

A Bill for an Act Relating to Practicing Psychologists.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 465-1, Hawaii Revised Statutes, is amended to read:

“Sec. 465-1 Definitions. As used in this chapter:

- (1) ‘Board’ means the board of certification for practicing psychologists.
- (2) ‘Director’ means the director of regulatory agencies.
- (3) ‘Application fee’, ‘renewal fee’, ‘temporary permit fee’, and ‘examination fee’ mean the fees in the schedule set forth in section 465-12.
- (4) ‘Psychologist’ means a person who engages in the practice of psychology as hereinafter defined.
- (5) A person practices ‘psychology’ who performs any professional service which consists of, requires, and is limited to the application of psychological principles and procedures for the purpose of understanding, predicting, or influencing the behavior of individuals in order to assist in their attainment of maximum personal growth; optimal work; family, school and interpersonal relationships; and healthy personal adjustment. The application of psychological principles and procedures includes: interviewing, counseling and psychotherapy; administering and interpreting instruments for the assessment and evaluation of mental abilities, aptitudes, interests, attitudes, personal characteristics, emotions and motivations; diagnosis, prevention, and amelioration of adjustment problems; hypnosis; the resolution of interpersonal and social conflict; educational and vocational counseling; personnel selection; evaluation and planning for effective work and learning situations; conducting research contributing directly to any of these.”

SECTION 2. Section 465-2, Hawaii Revised Statutes, is amended to read:

“Sec. 465-2 Certification required. Except as otherwise provided in this chapter, no person shall represent himself to be a psychologist or engage in the practice of psychology without having first obtained a certificate as provided in this chapter.”

SECTION 3. Section 465-3, Hawaii Revised Statutes, is amended to read:

“Sec. 465-3 Exceptions. This chapter shall not apply to:

- (1) Any person teaching, lecturing, consulting, or engaging in research in psychology insofar as the activities are performed as part of or are dependent upon employment in a college or university.
- (2) Any person who performs any, or any combination, of the professional services described in Sec. 465-1 (5) under the direction of a person who is qualified or excepted under the provisions in this chapter.
- (3) Any person employed by a local, state, or federal government agency whose psychologists must qualify for employment under government certification or under civil service regulations but only at those times when that person is carrying out the functions of such governmental employment.
- (4) Any person who is a student of psychology, a psychological intern, or a resident in psychology preparing for the profession of psychology under supervision in a training institution or facility and who is designated by a title such as ‘psychological trainee’ or ‘psychology student’ which indicates his training status.
- (5) Any person who holds a license to practice medicine and surgery in the State.
- (6) Nothing in this chapter shall in any way restrict any person from carrying on any of the aforesaid activities, provided that such person does not offer psychological services as defined in this chapter except as such activities are incidental to his lawful occupational purpose.
- (7) Nothing in this chapter shall be construed as permitting the administration or prescription of drugs, or in any way engaging in the practice of medicine as defined in the laws of the State.”

SECTION 4. Section 465-6, Hawaii Revised Statutes is amended to read:

“Sec. 465-6 Powers and duties. The board of certification for practicing psychologists shall:

- (1) Examine the qualifications of applicants for certification under this chapter to determine their eligibility for certification as psychologists and forward to the director the names of applicants who are eligible for such certification no later than ninety days after date of application;
- (2) Prepare, administer, and grade such examinations and tests for ap-

plicants as may be required for the purposes of this chapter. The board shall determine the scope and length of such examinations and tests, whether they shall be oral, written, or both and the score that shall be deemed a passing score. Examinations must be scheduled at least once annually;

- (3) Keep a record of action taken on all applicants for certification; the names of all persons certified; petitions for temporary certificates; actions involving suspension, revocation, or denial of certificates; recommendations for reciprocity and receipt and disbursal of any moneys. The board shall report annually in writing to the governor concerning all the official acts of the previous year;
- (4) Promulgate, amend, and repeal pursuant to chapter 91, such rules and regulations as it deems proper for the purposes of this chapter."

SECTION 5. Section 465-7, Hawaii Revised Statutes, is amended to read:

"Section 465-7 Requirements for certification. Every applicant for a certificate as a psychologist shall submit evidence satisfactory to the board of certification for practicing psychologists that he meets the requirements set forth in paragraphs (1) and (2) or (3), and (4), of this section:

- (1) He is of good moral character.
- (2) He holds a doctoral degree from an accredited institution of higher education with training and education in the field of psychology adequate to the satisfaction of the board.
- (3) Any person who holds a diplomate certificate in good standing granted by the American Board of Examiners in Professional Psychology.
- (4) He passes such examination as may be prescribed by the board."

SECTION 6. Section 465-8, Hawaii Revised Statutes, is amended to read:

"Sec. 465-8 Certificates, issuance, display. Upon the board of certification for practicing psychologists forwarding to the director the name of each applicant who is entitled to a certificate under this chapter and upon receipt of the prescribed fee, the director shall promptly issue to each such applicant a certificate authorizing him to engage in the practice of psychology for a period of one year. The certificate shall be in such form as the director shall determine. A certified psychologist shall display his certificate in a conspicuous place in his principal place of business."

SECTION 7. Section 465-9, Hawaii Revised Statutes, is amended to read:

"Sec. 465-9 Temporary permit. A person not certified in the State who wishes to engage in the practice of psychology for a period not to exceed ninety days within a calendar year shall petition the board for a temporary permit. If the person is licensed or certified in another state deemed by the board of certification for practicing psychologists to have standards equivalent to this chapter, he shall be entitled to a temporary permit in the same manner

and subject to the same conditions specified in section 465-8 applicable to the issuance of certificates. The period of ninety days may be extended at the discretion of the board but not to exceed ninety days.”

SECTION 8. Every person holding a valid certificate on the effective date of this Act which had previously been issued to him by the director of regulatory agencies shall be entitled to a new certificate to engage in the practice of psychology, which certificate shall be valid under the provisions of Chapter 465, Hawaii Revised Statutes, as amended.

SECTION 9. Chapter 465, Hawaii Revised Statutes, is amended by adding a new section to be appropriately numbered and to read as follows:

“**Sec. 465- . Use of the term ‘psychologist’.** No person shall advertise or hold himself out, either publicly or privately, as being a psychologist, certified or otherwise, or as being able to perform professional services described in Sec. 465-1 (5), except as otherwise provided in this chapter, without having a valid unrevoked certificate or temporary permit issued by the director.”

SECTION 10. Material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 11. This Act shall take effect upon its approval.

(Approved May 24, 1971.)

* Edited accordingly.