

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

H

1

HOUSE BILL 1488

Short Title: Amend Psychology Practice Act. (Public)

Sponsors: Representatives Goodwin; Faison and Luebke.

Referred to: Health, if favorable, Judiciary I.

April 17, 2007

1 A BILL TO BE ENTITLED  
2 AN ACT AMENDING THE PSYCHOLOGY PRACTICE ACT TO CLARIFY  
3 REQUIREMENTS FOR PERMANENT LICENSURE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 90-270.4(e) reads as rewritten:

6 "(e) ~~Nothing~~ Except as otherwise provided in subsection (g) of this section,  
7 nothing in this Article shall be construed to prevent qualified members of other  
8 professional groups licensed or certified under the laws of this State from rendering  
9 services within the scope of practice, as defined in the statutes regulating those  
10 professional practices, provided they do not hold themselves out to the public by any  
11 title or description stating or implying that they are psychologists or are licensed,  
12 certified, or registered to practice psychology."

13 **SECTION 2.** G.S. 90-270.4(g) reads as rewritten:

14 "(g) ~~Except as otherwise provided in this Article, subsection (c) of this section,~~ if a  
15 person exempt from the provisions of this Article and not required to be licensed under  
16 this Article is or becomes licensed under this Article, he or she shall be required to  
17 comply with all conditions, requirements, and obligations imposed by Board rules or by  
18 statute upon all other psychologists licensed under this ~~Article.~~ Article, even if the  
19 person is not holding himself or herself out to the public by any title or description  
20 stating or implying that the person is a psychologist, a licensed psychological associate,  
21 or licensed to practice psychology."

22 **SECTION 3.** G.S. 90-270.6 reads as rewritten:

23 **"§ 90-270.6. Psychology Board; appointment; term of office; composition.**

24 For the purpose of carrying out the provisions of this Article, there is created a North  
25 Carolina Psychology Board, which shall consist of seven members appointed by the  
26 Governor. At all times three members shall be licensed psychologists, two members  
27 shall be licensed psychological associates, and two members shall be members of the  
28 public who are not licensed under this Article. ~~Each member of the Board must reside in~~  
29 ~~a different congressional district at the time of the appointment.~~ Due consideration shall

1 also be given to the adequate representation of the various fields and areas of practice of  
2 ~~psychology~~ psychology and to adequate representation from various geographic regions  
3 in the State. Terms of office shall be three years. All terms of service on the Board  
4 expire June 30 in appropriate years. As the term of a psychologist member expires, or as  
5 a vacancy of a psychologist member occurs for any other reason, the North Carolina  
6 Psychological Association, or its successor, shall, having sought the advice of the chairs  
7 of the graduate departments of psychology in the State, for each vacancy, submit to the  
8 Governor a list of the names of three eligible persons. From this list the Governor shall  
9 make the appointment for a full term, or for the remainder of the unexpired term, if any.  
10 Each Board member shall serve until his or her successor has been appointed. As the  
11 term of a member expires, or if one should become vacant for any reason, the Governor  
12 shall appoint a new member within 60 days of the vacancy's occurring. No member,  
13 either public or licensed under this Article, shall serve more than three complete  
14 consecutive terms."

15 **SECTION 4.** G.S. 90-270.13 reads as rewritten:

16 "(a) Upon application and payment of the requisite fee, the Board shall grant  
17 permanent licensure at the appropriate level to any person who, at the time of  
18 application, is licensed or certified as a psychologist by a similar psychology licensing  
19 board in another jurisdiction, whose license or certification is in good standing, who is a  
20 graduate of an institution of higher education, who passes any examination prescribed  
21 by the Board, and who meets the definition of a senior psychologist as that term is  
22 defined by the rules of the Board."

23 **SECTION 5.** G.S. 90-270.13 is amended by adding a new subsection to  
24 read:

25 "(a1) Upon application and payment of the required fee, the Board shall grant  
26 permanent licensure at the appropriate level to any person who, at the time of  
27 application:

- 28 (1) Is licensed or certified as a psychologist by a similar psychology  
29 licensing board in another jurisdiction whose license or certification is  
30 in good standing;
- 31 (2) Possesses a doctoral degree in psychology from an institution of higher  
32 learning;
- 33 (3) Passes an examination prescribed by the Board;
- 34 (4) Has no unresolved complaints in any jurisdiction at the time of  
35 application in this State; and
- 36 (5) Holds a current credential for psychology licensure mobility, as  
37 defined in rules adopted by the Board.

38 However, the Board may, in its discretion, deny permanent licensure under this  
39 subsection to an applicant whose behavior does not conform with the requirements of  
40 G.S. 90-270.15(a)."

41 **SECTION 6.** This act is effective when it becomes law.