

State Sen. 3/29
Senate File 446
Shaw, Chairman
Schwengels
Hill

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State Government—
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Schwengels
Hill

Withdrawn 4/30 (1741)

SENATE FILE 446

FILED MAR 28 1973

By KELLY, NYSTROM and DODERER
(Small)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the registration of psychologists and
2 establishing a psychology examining board.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. DEFINITION. "Practice of
2 psychology" means the application of established principles
3 of learning, motivation, perception, thinking, and emotional
4 relations to problems of behavior adjustment, group relations,
5 and behavior modification, by persons trained in psychology
6 for compensation or other personal gain. The application
7 of principles includes, but is not limited to: counseling
8 and the use of psychological remedial measures with persons,
9 in groups or individually, with adjustment or emotional
10 problems in the areas of work, family, school and personal
11 relationships; measuring and testing personality, intelligence,
12 aptitudes, public opinion, attitudes, and skills; and the
13 teaching of such subject matter, and the conducting of research
14 on the problems relating to human behavior.

15 Sec. 2. NEW SECTION. PRACTICE NOT AUTHORIZED. This Act
16 shall not authorize the practice of medicine and surgery by
17 any person not licensed pursuant to chapter one hundred forty-
18 eight (148) of the Code.

19 Sec. 3. NEW SECTION. PERSONS NOT REQUIRED TO QUALIFY.
20 The provisions of this Act shall not apply to the following
21 persons:

22 1. School psychologists certified by the department of
23 public instruction practicing and functioning within the scope
24 of their employment in either a public or private school or
25 performing as certified school psychologists at any time in
26 either private practice or the public sector, provided they
27 use the title "certified school psychologist".

28 2. An employee of an accredited academic institution as
29 a part of his teaching, training, and research duties.

30 3. An employee of a federal, state, county or local gov-
31 ernmental institution or agency or nonprofit institution or
32 agency, or a research facility, while performing duties of
33 his office or position with such institution, agency, or
34 facility.

35 4. A student of psychology, psychological intern or per-

1 son preparing for the practice of psychology in a training
2 institution or facility approved by the board, provided he
3 is designated by the title "psychological trainee" or any
4 similar title, clearly indicating training status.

5 5. A practicing psychologist for a period not to exceed
6 ten consecutive business days or fifteen business days in
7 any ninety-day period, if he resides outside, and his major
8 practice is outside, the state and he gives the board a summary
9 of his intention to practice in the state of Iowa, if he is
10 certified or licensed in another state under requirements
11 the board considers to be equivalent of requirements for
12 licensing under this Act, or he resides in a state which does
13 not certify or license psychologists and the board considers
14 his professional qualifications to be the equivalent of
15 requirements for licensing under this Act.

16 Sec. 4. NEW SECTION. ACTS PROHIBITED. Commencing July
17 1, 1973, a person who is not certified under this Act shall
18 not represent himself as a certified practicing psychologist,
19 use a title or description, including the term "psychology"
20 or any of its derivatives, such as "psychologist" or
21 "psychological" or modifiers such as "practicing" or
22 "certified" in a manner which implies that he is certified
23 under this Act, or offer to practice or practice psychology,
24 except as otherwise permitted in sections three (3) and five
25 (5) of this Act. The use by a person who is not certified
26 under this Act of such terms is not prohibited by this Act,
27 except when such terms are used in connection with an offer
28 to practice or the practice of psychology.

29 Sec. 5. NEW SECTION. SCOPE OF ACT. Nothing in this Act
30 shall be construed to prevent qualified members of other
31 professional groups such as physicians, osteopaths,
32 optometrists, chiropractors, members of the clergy, authorized
33 christian science practitioners, attorneys at law, social
34 workers or guidance counselors from performing functions of
35 a psychological nature consistent with the accepted standards

1 of their respective professions, if they do not use any title
2 or description stating or implying that they are psychologists
3 or are certified to practice psychology.

4 Sec. 6. NEW SECTION. REQUIREMENTS FOR CERTIFICATION.

5 Except as provided in this section, an applicant for certi-
6 fication as a psychologist or as an associate psychologist
7 shall meet the following requirements in addition to those
8 specified in chapter one hundred forty-seven (147) of the
9 Code:

10 1. A certified psychologist shall possess a doctoral de-
11 gree in psychology or its equivalent from an institution ap-
12 proved by the board and shall have completed at least one
13 year of supervised professional experience following the
14 granting of the doctoral degree, or predoctoral experience,
15 as may be acceptable to the board; or shall possess a masters
16 degree in psychology or its equivalent from an institution
17 approved by the board and have completed at least five years
18 of professional experience, at least two of which shall have
19 been under the supervision of a licensed psychologist, as
20 may be acceptable to the board.

21 2. A certified associate psychologist shall possess a
22 masters degree in psychology or its equivalent from an in-
23 stitution approved by the board.

24 3. Have passed an examination administered by the board
25 to assure his professional competence.

26 4. Have not failed the examination required in subsection
27 three (3) of this section within the six months next preced-
28 ing the date of the examination.

29 The examinations required in this section may, at the dis-
30 cretion of the board, be waived for holders by examination
31 of licenses or certificates from states whose requirements
32 are substantially equivalent to those of this Act, and for
33 holders by examination of speciality diplomas from the American
34 board of professional psychology.

35 Any person who within one year after July 1, 1973 meets

1 the requirements specified in subsections one (1) and two
2 (2) of this section shall receive certification without hav-
3 ing passed the examination required in subsection three (3)
4 of this section. Any person holding a certificate from the
5 board of examiners of the Iowa psychological association on
6 July 1, 1973 who applies for certification before July 1,
7 1974 shall receive certification.

8 Sec. 7. NEW SECTION. VOLUNTARY SURRENDER OF CERTIFICATION.

9 The commissioner of public health may accept the voluntary
10 surrender of certification if accompanied by a written
11 statement of intention. The voluntary surrender, when
12 accepted, shall have the same force and effect as an order
13 of revocation.

14 Sec. 8. NEW SECTION. UNPROFESSIONAL CONDUCT. The ethical
15 standards of psychologists, prepared by the American
16 psychological association, are adopted as the standards
17 applicable to psychologists practicing in the state.

18 Sec. 9. Section one hundred forty-seven point one (147.1),
19 subsection two (2), Code 1973, is amended to read as follows:

20 2. "Licensed" or "certified" when applied to a physician
21 and surgeon, podiatrist, osteopath, osteopathic physician
22 and surgeon, psychologist or associate psychologist,
23 chiropractor, nurse, dentist, dental hygienist, optometrist,
24 pharmacist, physical therapist, practitioner of cosmetology,
25 practitioner of barbering, funeral director or embalmer shall
26 mean a person licensed under this title.

27 Sec. 10. Section one hundred forty-seven point one (147.1),
28 subsection three (3), Code 1973, is amended to read as follows:

29 3. "Profession" shall mean medicine and surgery, podiatry,
30 osteopathy, osteopathic medicine and surgery, psychology,
31 chiropractic, nursing, dentistry, dental hygiene, optometry,
32 pharmacy, physical therapy, cosmetology, barbering, funeral
33 directing or embalming.

34 Sec. 11. Section one hundred forty-seven point two (147.2),
35 Code 1973, is amended to read as follows:

1 147.2 LICENSE REQUIRED. No person shall engage in the
2 practice of medicine and surgery, psychology, podiatry,
3 osteopathy, osteopathic medicine and surgery, chiropractic,
4 physical therapy, nursing, dentistry, dental hygiene,
5 optometry, pharmacy, cosmetology, barbering, funeral direct-
6 ing or embalming as defined in the following chapters of this
7 title, unless he shall have obtained from the state department
8 of health a license for that purpose.

9 Sec. 12. Section one hundred forty-seven point thirteen
10 (147.13), Code 1973, is amended to read as follows:

11 147.13 DESIGNATION OF BOARDS. The examining boards pro-
12 vided in section 147.12 shall be designated as follows: For
13 medicine and surgery, and osteopathy, and osteopathic medi-
14 cine and surgery, medical examiners; for psychology, psychology
15 examiners; for podiatry, podiatry examiners; for chiropractic,
16 chiropractic examiners; for physical therapists, physical
17 therapy examiners; for nursing, board of nursing; for dentistry
18 and dental hygiene, dental examiners; for optometry, optometry
19 examiners; for cosmetology, cosmetology examiners; for barber-
20 ing, barber examiners; for pharmacy, pharmacy examiners; for
21 funeral directing and embalming, funeral director and embalmer
22 examiners.

23 Sec. 13. Section one hundred forty-seven point fourteen
24 (147.14), Code 1973, is amended to read as follows:

25 147.14 COMPOSITION OF BOARDS. Each examining board shall
26 consist of three members, except the dental and nurse boards
27 each of which shall consist of five members, and the medical
28 examiners which shall consist of eight members, and the
29 physical therapy examining board which shall consist of four
30 members and the psychology examining board which shall consist
31 of nine members.

32 Sec. 14. Section one hundred forty-seven point fifteen
33 (147.15), Code 1971, is amended by adding the following new
34 paragraph:

35 NEW PARAGRAPH. Each member of the psychology examining

1 board shall be certified under the provisions of this Act
2 except for the initial membership of the board which shall
3 be composed of persons certifiable under this Act, and except
4 for those representing areas other than applied psychology.
5 To assure adequate representation of the diverse fields of
6 psychology, the board shall consist of two members primarily
7 engaged in graduate teaching in psychology; two members who
8 render services in psychology; two members representing areas
9 of applied psychology who may be affiliated with training
10 institutions and who devote a major part of their time in
11 rendering service in psychology; two members from the public-
12 at-large; and one other member primarily engaged in research
13 in psychology.

14 Sec. 15. Section one hundred forty-seven point eighteen
15 (147.18), Code 1973, is amended to read as follows:

16 147.18 DISQUALIFICATIONS. No examiner shall be an officer
17 or member of the instructional staff of any school in which
18 any profession regulated by this title is taught, or be con-
19 nected therewith in any manner, and no funeral director and
20 embalmer or optometry examiner shall be connected in any man-
21 ner with any wholesale or jobbing house dealing in optical
22 or embalming supplies, and no cosmetology examiner shall be
23 connected with any wholesale or jobbing house dealing in
24 supplies sold to practitioners of cosmetology, and no barber
25 examiner shall be connected with any wholesale or jobbing
26 house dealing in supplies sold to practitioners of barbering,
27 providing, however, that the foregoing shall not apply to
28 nurse examiners and psychology examiners.

29 Sec. 16. Section one hundred forty-seven point nineteen
30 (147.19), Code 1973, is amended by adding the following new
31 paragraph:

32 NEW PARAGRAPH. The term of office of each member of the
33 psychology board shall be three years, except that of the
34 members first appointed, three shall be appointed for terms
35 of one year, three for terms of two years, and three for terms

1 of three years. Commencing with July 1, 1976, no member of
2 the board may be appointed for more than two consecutive
3 terms.

4 Sec. 17. Section one hundred forty-seven point thirty-
5 eight (147.38), Code 1973, is amended to read as follows:

6 147.38 QUORUM AND REPRESENTATION. Two members of each
7 board, except the dental board, psychology board, and medical
8 board, shall constitute a quorum for conducting examinations.
9 Three members of the dental board and medical board and five
10 members of the psychology board shall constitute a quorum
11 for conducting examinations.

12 Sec. 18. Section one hundred forty-seven point seventy-
13 four (147.74), Code 1973, is amended by adding the following
14 new paragraph:

15 NEW PARAGRAPH. A psychologist who possesses a doctoral
16 degree may use the prefix "doctor" but shall add after his
17 name the word "psychologist".

18 Sec. 19. Section one hundred forty-seven point eighty
19 (147.80), subsection two (2), Code 1973, is amended to read
20 as follows:

21 2. For a license to practice medicine and surgery, ~~or~~
22 osteopathic medicine and surgery, or psychology, issued upon
23 the basis of an examination given by the medical or psychology
24 examiners, fifty dollars. For a license to practice medicine
25 and surgery, osteopathic medicine and surgery or osteopathy,
26 issued by endorsement or under a reciprocal agreement, one
27 hundred dollars. For a license to practice chiropractic
28 issued by endorsement or under a reciprocal agreement, one
29 hundred dollars.

30 Sec. 20. Section one hundred forty-seven point eighty
31 (147.80), subsection seven (7), Code 1973, is amended to read
32 as follows:

33 7. For the renewal of a license to practice any of the
34 professions enumerated in the preceding subsections, one dol-
35 lar; except that the renewal fee of a license to practice

1 medicine and surgery, osteopathic medicine and surgery, ~~or~~
2 osteopathy, or psychology shall be fifteen dollars, and except
3 the renewal fee to practice cosmetology shall be three dollars,
4 and except the renewal fee of a license to practice
5 chiropractic or pharmacy shall be twelve dollars and fifty
6 cents, and except the renewal fee of a license to practice
7 nursing shall be four dollars and except the renewal fee of
8 a license to practice funeral directing and the renewal fee
9 of a license to practice embalming shall be two dollars each,
10 and except the renewal fee of a license to practice podiatry
11 shall be fifteen dollars, and except the renewal fee of a
12 license to practice optometry or barbering shall be five dol-
13 lars.

14 Sec. 21. Section one hundred forty-seven point one hun-
15 dred two (147.102), Code 1973, is amended to read as follows:

16 147.102 PHYSICIANS AND SURGEONS, PSYCHOLOGISTS, CHIRO-
17 PRACTORS AND OSTEOPATHS. Notwithstanding the provisions of
18 this title, every application for a license to practice
19 medicine and surgery, chiropractic, osteopathy, ~~or~~ osteopathic
20 medicine and surgery, or psychology, shall be made direct
21 to the secretary of the examining board of such profession,
22 and every reciprocal agreement for the recognition of any
23 such license issued in another state shall be negotiated by
24 the examining board for such profession, and all examination,
25 license, and renewal fees received from such persons licensed
26 to practice any of such professions shall be paid to and
27 collected by the secretary of the examining board of such
28 profession, which secretary shall turn the same over to the
29 department of health on the first day of January, 1925, and
30 quarterly thereafter.

31

EXPLANATION

32 This bill establishes a psychology examining board and
33 requires that persons engaging in the practice of psychology
34 must meet the requirements set by the board in order to be
35 certified by the board. In order to meet the requirements

1 for certification, psychologists must possess a doctoral
2 degree in psychology, have completed at least one year of
3 supervised professional experience, and have passed an ex-
4 amination administered by the board. The examination is not
5 required for certification of persons meeting the other
6 requirements and applying for certification within one year
7 after July 1, 1973. School psychologists, employees of
8 accredited academic institutions, employees of governmental
9 institutions or agencies or nonprofit institutions or agencies,
10 students of psychology, and nonresidents of Iowa who practice
11 for a short period of time in Iowa and are approved by the
12 board are not required to be certified.

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