

SENATE BILL No. 641

October 31, 2017, Introduced by Senator EMMONS and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16141, 16145, 16343, 18201, 18211, 18221,
18223, 18233, and 18237 (MCL 333.16141, 333.16145, 333.16343,
333.18201, 333.18211, 333.18221, 333.18223, 333.18233, and
333.18237), sections 16141 and 16145 as amended by 1993 PA 80,
section 16343 as added by 1993 PA 79, sections 18211 and 18221 as
amended by 2006 PA 395, section 18223 as amended by 2014 PA 385,
section 18233 as amended by 1994 PA 234, and section 18237 as
amended by 1998 PA 496, and by adding section 18236.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16141. (1) The department shall furnish office services
2 to the committee, the boards, and the task forces; have charge of
3 their offices, records, and money collected; and perform managerial

1 and administrative functions for them.

2 (2) The department shall appoint administrative and
3 secretarial staff, clerks, and employees necessary to allow the
4 proper exercise of the powers and duties of the committee, a board,
5 or a task force. Salaries and other expenses incurred by the
6 committee, a board, or a task force and staff and expenses for
7 studies and activities authorized under this article ~~shall~~**MUST** be
8 paid out of funds appropriated by the legislature for those
9 purposes.

10 (3) The department may promulgate rules to promote the
11 effective and consistent administration of this article. ~~However,~~
12 **EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE**, the department shall
13 not promulgate rules that constitute the licensure, registration,
14 or examination of health professionals.

15 Sec. 16145. (1) A board may adopt and have an official seal.

16 (2) A board or task force may promulgate rules necessary or
17 appropriate to fulfill its functions as prescribed in this article.

18 (3) ~~Only~~**EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, ONLY** a
19 board or task force shall promulgate rules to specify requirements
20 for licenses, registrations, renewals, examinations, and required
21 passing scores.

22 Sec. 16343. Fees for ~~a person~~**AN INDIVIDUAL WHO IS** licensed or
23 seeking licensure to engage in the practice of psychology **OR**
24 **PRACTICE OF A PSYCHOLOGICAL ASSOCIATE** under part 182 are as
25 follows:

26 (a) Application processing fee..... \$ 50.00

27 (b) License fee, per year:

1	(i)	Full doctoral.....	90.00
2	(ii)	Limited doctoral.....	30.00
3	(iii)	Masters limited.....	60.00
4	(iv)	Temporary limited.....	15.00
5	(v)	PSYCHOLOGICAL ASSOCIATE.....	60.00
6	(vi)	LIMITED PSYCHOLOGICAL ASSOCIATE.....	60.00
7	(c)	Limited license, per year.....	40.00
8	(d)	Temporary license.....	15.00
9	(e)	Examination review fee.....	20.00

10 Sec. 18201. (1) As used in this part:

11 ~~—— (a) "Psychologist" means an individual licensed under this~~
 12 ~~article to engage in the practice of psychology.~~

13 **(A) "PRACTICE OF A PSYCHOLOGICAL ASSOCIATE" MEANS RENDERING**
 14 **PSYCHOTHERAPY SERVICES TO INDIVIDUALS, GROUPS, ORGANIZATIONS, OR**
 15 **THE PUBLIC THAT INVOLVE THE APPLICATION OF PRINCIPLES, METHODS, AND**
 16 **PROCEDURES OF UNDERSTANDING, PREDICTING, AND INFLUENCING BEHAVIOR**
 17 **FOR THE PURPOSES OF THE DIAGNOSIS AND INTAKE ASSESSMENT,**
 18 **PREVENTION, AMELIORATION, OR TREATMENT OF MENTAL OR EMOTIONAL**
 19 **DISORDERS, DISABILITIES, OR BEHAVIORAL ADJUSTMENT PROBLEMS BY MEANS**
 20 **OF PSYCHOTHERAPY, COUNSELING, BEHAVIOR MODIFICATION, HYPNOSIS,**
 21 **BIOFEEDBACK TECHNIQUES, OR OTHER VERBAL OR BEHAVIORAL MEANS.**
 22 **PRACTICE OF A PSYCHOLOGICAL ASSOCIATE DOES NOT INCLUDE ANY OF THE**
 23 **FOLLOWING:**

24 **(i) THE PRACTICE OF MEDICINE, SUCH AS PRESCRIBING DRUGS,**
 25 **PERFORMING SURGERY, OR ADMINISTERING ELECTRO-CONVULSIVE THERAPY.**

26 **(ii) EXCEPT AS OTHERWISE PROVIDED IN THIS PART, THE**
 27 **ADMINISTRATION, PRODUCTION, OR DISTRIBUTION OF WRITTEN OR VERBAL**

1 PSYCHOMETRIC ASSESSMENTS, EVALUATIONS, OR REPORTS, OR THE
2 DOCUMENTATION OR DISTRIBUTION OF THE PSYCHOMETRIC ASSESSMENTS,
3 EVALUATIONS, OR REPORTS IN A CLINICAL RECORD.

4 (iii) THE PRACTICE OF APPLIED BEHAVIOR ANALYSIS UNLESS THE
5 INDIVIDUAL IS LICENSED OR OTHERWISE AUTHORIZED TO ENGAGE IN THE
6 PRACTICE OF APPLIED BEHAVIOR ANALYSIS UNDER PART 182A.

7 (b) "Practice of psychology" means ~~the rendering~~ SERVICES to
8 individuals, groups, organizations, or the public ~~of services~~
9 ~~involving~~ THAT INVOLVE the application of principles, methods, and
10 procedures of understanding, predicting, and influencing behavior
11 for the purposes of the diagnosis, assessment related to diagnosis,
12 prevention, amelioration, or treatment of mental or emotional
13 disorders, disabilities or behavioral adjustment problems by means
14 of psychotherapy, counseling, behavior modification, hypnosis,
15 biofeedback techniques, ~~psychological tests,~~ PSYCHOMETRIC
16 ASSESSMENTS, or other verbal or behavioral means. ~~The practice~~
17 PRACTICE of psychology ~~shall~~ DOES not include the practice of
18 medicine, ~~such as~~ INCLUDING, BUT NOT LIMITED TO, prescribing drugs,
19 performing surgery, or administering electro-convulsive therapy.

20 (C) "PSYCHOLOGICAL ASSOCIATE" MEANS AN INDIVIDUAL WHO IS
21 LICENSED OR OTHERWISE AUTHORIZED UNDER THIS ARTICLE TO ENGAGE IN
22 THE PRACTICE OF A PSYCHOLOGICAL ASSOCIATE.

23 (D) "PSYCHOLOGIST" MEANS AN INDIVIDUAL WHO IS LICENSED UNDER
24 THIS ARTICLE TO ENGAGE IN THE PRACTICE OF PSYCHOLOGY.

25 (E) "PSYCHOMETRIC ASSESSMENT" INCLUDES, BUT IS NOT LIMITED TO,
26 AN ACTUARIALLY BASED INSTRUMENT THAT ALLOWS STATISTICAL PREDICTION.

27 (2) In addition to the definitions in this part, article 1

1 contains general definitions and principles of construction
 2 applicable to all articles in this code and part 161 contains
 3 definitions applicable to this part.

4 Sec. 18211. (1) ~~A person~~ **AN INDIVIDUAL** shall not engage in the
 5 practice of psychology unless **HE OR SHE IS** licensed or otherwise
 6 authorized ~~by~~ **UNDER** this article. **AN INDIVIDUAL SHALL NOT ENGAGE IN**
 7 **THE PRACTICE OF A PSYCHOLOGICAL ASSOCIATE UNLESS HE OR SHE IS**
 8 **LICENSED OR OTHERWISE AUTHORIZED UNDER THIS ARTICLE.**

9 (2) The following words, titles, or letters or a combination
 10 ~~thereof,~~ **OF THE WORDS, TITLES, OR LETTERS**, with or without
 11 qualifying words or phrases, are restricted in use only to those
 12 persons authorized under this part to use the terms and in a way
 13 prescribed in this part: "consulting psychologist", "psychologist",
 14 ~~"psychological assistant",~~ "psychological examiner", "licensed
 15 psychologist", ~~and~~ "limited licensed psychologist", **"PSYCHOLOGICAL**
 16 **ASSOCIATE", "LICENSED PSYCHOLOGICAL ASSOCIATE", AND "LIMITED**
 17 **LICENSED PSYCHOLOGICAL ASSOCIATE".**

18 Sec. 18221. (1) The Michigan board of psychology is created in
 19 the department and shall consist of the following 9 voting members,
 20 ~~who shall~~ **EACH OF WHOM MUST** meet the requirements of part 161:

21 **(A) UNTIL DECEMBER 31, 2018,** 5 psychologists, including at
 22 least 1 nondoctoral psychologist, and 4 public members.

23 **(B) BEGINNING JANUARY 1, 2019, 3 PSYCHOLOGISTS, 2**
 24 **PSYCHOLOGICAL ASSOCIATES, AND 4 PUBLIC MEMBERS.**

25 (2) Section 1212 does not apply to this board.

26 (3) ~~(2)~~ The terms of office of individual members of the board
 27 created under this section, except those appointed to fill

1 vacancies, expire 4 years after appointment on December 31 of the
2 year in which the term expires.

3 Sec. 18223. (1) The department, in consultation with the
4 board, shall promulgate rules requiring that to be granted a
5 license under this part **TO ENGAGE IN THE PRACTICE OF PSYCHOLOGY**,
6 except as provided in subsection (2), an individual must meet both
7 of the following requirements:

8 (a) ~~Have been granted~~ **HOLDS** a doctoral degree in psychology,
9 or a doctoral degree in a closely related field, from a doctoral
10 degree program that meets both of the following requirements:

11 (i) Is offered by a regionally accredited or other college,
12 university, or institution approved by the board ~~, which program~~
13 ~~included~~ **AND INCLUDES** education and training appropriate to the
14 practice of psychology.

15 (ii) Has obtained the ~~association~~ **ASSOCIATION** of ~~state~~ **STATE**
16 and ~~provincial psychology boards~~ **PROVINCIAL PSYCHOLOGY BOARDS**
17 national register designation, has been accredited by the American
18 ~~psychological association~~ **PSYCHOLOGICAL ASSOCIATION** or the Canadian
19 ~~psychological association~~ **PSYCHOLOGICAL ASSOCIATION**, or has
20 obtained a similar designation from or been accredited by an entity
21 approved by the board. For purposes of ~~the requirement added by~~
22 ~~2010 PA 121~~, **THIS SUBPARAGRAPH**, a program that is in the process of
23 obtaining the designation or becoming accredited as ~~required~~
24 **DESCRIBED** in this ~~sub-subparagraph~~ **SUBPARAGRAPH** before August 1,
25 2011, and that obtains the designation or becomes accredited on or
26 before August 31, 2020, meets the requirements of this ~~sub-~~
27 ~~subparagraph~~ **SUBPARAGRAPH**.

(b) ~~Have not less than~~ **HAS AT LEAST** 1 year of postdoctoral experience in the practice of psychology in an organized health care setting or other arrangement, as established by the board.

(2) **THIS SUBSECTION DOES NOT APPLY BEGINNING DECEMBER 31, 2017.** In addition to section 16182, the board shall grant a limited license **TO ENGAGE IN THE PRACTICE OF PSYCHOLOGY** to an individual ~~granted~~ **WHO HOLDS** a master's degree in psychology from a regionally accredited college, or university, or institution approved by the board, if the individual has education, training, and experience appropriate to the practice of psychology, as established by the board. ~~Except for duties performed as an employee of a governmental entity or of a nonprofit organization serving benevolent and charitable purposes, the board shall place 2 limitations on a license granted to an individual under this subsection. The limitations must require supervision~~ **AN INDIVIDUAL WHO IS GRANTED A LIMITED LICENSE UNDER THIS SUBSECTION MUST BE SUPERVISED** by a psychologist who has a license other than a limited license ~~and must prohibit advertising or other representation to the public that will lead the public to believe the individual is engaging in the practice of psychology.~~ **EXCEPT WHEN THE INDIVIDUAL IS PERFORMING DUTIES AS AN EMPLOYEE OF A GOVERNMENTAL ENTITY OR OF A NONPROFIT ORGANIZATION SERVING BENEVOLENT AND CHARITABLE PURPOSES.** A limited license granted under this subsection is renewable ~~pursuant to~~ **UNDER** part 161. An individual **WHO IS** applying for a limited license ~~pursuant to~~ **UNDER** this subsection must have 1 year of supervised postgraduate experience in an organized health care setting or other arrangement, as established by the board. The

1 individual must be supervised by a psychologist who has a license
2 other than a limited license, or if a psychologist who has a
3 license other than a limited license is not available, by a
4 psychologist who has at least a master's degree in psychology and
5 at least 3 years of experience in the practice of psychology or by
6 any other individual approved by the board.

7 (3) The board shall ~~issue~~**GRANT** a temporary license to ~~the~~**AN**
8 individual **DESCRIBED IN SUBSECTION (2)** for the purpose of obtaining
9 the 1 year of postgraduate experience **DESCRIBED IN THAT SUBSECTION.**
10 **BEGINNING ON DECEMBER 31, 2017, A TEMPORARY LICENSE GRANTED UNDER**
11 **THIS SUBSECTION IS VALID FOR 2 YEARS AND MAY BE RENEWED FOR 1**
12 **ADDITIONAL 2-YEAR PERIOD. IF AN INDIVIDUAL DESCRIBED IN SUBSECTION**
13 **(2) WAS GRANTED A TEMPORARY LICENSE BY THE BOARD BEFORE DECEMBER**
14 **31, 2017, HIS OR HER TEMPORARY LICENSE MAY BE RENEWED FOR 1**
15 **ADDITIONAL 2-YEAR PERIOD.**

16 (4) **THE BOARD SHALL GRANT A TEMPORARY LICENSE TO AN INDIVIDUAL**
17 **WHO IS ENROLLED IN A DOCTORAL DEGREE PROGRAM THAT MEETS THE**
18 **REQUIREMENTS OF SUBSECTION (1). BEGINNING ON DECEMBER 31, 2017, A**
19 **TEMPORARY LICENSE GRANTED UNDER THIS SUBSECTION IS VALID FOR 2**
20 **YEARS AND MAY BE RENEWED FOR 3 ADDITIONAL 2-YEAR PERIODS. IF AN**
21 **INDIVIDUAL ENROLLED IN A DOCTORAL PROGRAM THAT MEETS THE**
22 **REQUIREMENTS OF SUBSECTION (1) WAS GRANTED A TEMPORARY LICENSE BY**
23 **THE BOARD BEFORE DECEMBER 31, 2017, HIS OR HER TEMPORARY LICENSE**
24 **MAY BE RENEWED FOR 3 ADDITIONAL 2-YEAR PERIODS.**

25 (5) **THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, MAY**
26 **PROMULGATE RULES ON A LICENSURE PROGRAM FOR INDIVIDUALS WHO ENGAGE**
27 **IN THE PRACTICE OF A PSYCHOLOGICAL ASSOCIATE. BEGINNING DECEMBER**

31, 2017, THE BOARD SHALL GRANT A LICENSE TO ENGAGE IN THE PRACTICE OF A PSYCHOLOGICAL ASSOCIATE, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, TO AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF SUBSECTION (6), (7), OR (8), AS APPLICABLE. ALL OF THE FOLLOWING APPLY TO A LICENSE AS A PSYCHOLOGICAL ASSOCIATE:

(A) AN INDIVIDUAL WHO IS GRANTED A PSYCHOLOGICAL ASSOCIATE LICENSE UNDER THIS SECTION SHALL NOT MAKE A REPRESENTATION TO THE PUBLIC THAT WILL LEAD THE PUBLIC TO BELIEVE THAT THE INDIVIDUAL IS A PSYCHOLOGIST.

(B) AN INDIVIDUAL WHO IS GRANTED A LIMITED LICENSE AS A PSYCHOLOGICAL ASSOCIATE UNDER SUBSECTION (6) SHALL ONLY ENGAGE IN THE PRACTICE OF A PSYCHOLOGICAL ASSOCIATE UNDER THE SUPERVISION OF A PSYCHOLOGIST WHO HAS A LICENSE OTHER THAN A LIMITED LICENSE.

(C) AN INDIVIDUAL WHO IS GRANTED A FULL LICENSE AS A PSYCHOLOGICAL ASSOCIATE UNDER SUBSECTION (7) OR (8) MAY ENGAGE IN THE PRACTICE OF A PSYCHOLOGICAL ASSOCIATE WITHOUT SUPERVISION.

(6) THE BOARD SHALL GRANT A LIMITED LICENSE AS A PSYCHOLOGICAL ASSOCIATE TO AN INDIVIDUAL WHO HAS A MASTER'S DEGREE IN PSYCHOLOGY FROM A REGIONALLY ACCREDITED OR BOARD-APPROVED COLLEGE, UNIVERSITY, OR INSTITUTION, THE PREPARATION FOR WHICH INCLUDED EDUCATION AND TRAINING APPROPRIATE TO ENGAGE IN THE PRACTICE OF A PSYCHOLOGICAL ASSOCIATE. THE FOLLOWING APPLY TO A LIMITED LICENSE GRANTED UNDER THIS SUBSECTION:

(A) THE LIMITATIONS PLACED ON THE LIMITED LICENSE SHALL INCLUDE THE SUPERVISION REQUIREMENT DESCRIBED IN SUBSECTION (5)(B).

(B) THE LIMITED LICENSE IS VALID FOR 2 YEARS AND, SUBJECT TO SUBDIVISION (C), IS RENEWABLE AS FOLLOWS:

1 (i) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (ii), FOR 1
2 ADDITIONAL 2-YEAR PERIOD.

3 (ii) IF THE INDIVIDUAL IS ENROLLED IN A DOCTORAL PROGRAM THAT
4 MEETS THE REQUIREMENTS OF SUBSECTION (1), FOR 2 ADDITIONAL 2-YEAR
5 PERIODS.

6 (C) THE BOARD MAY RENEW A LIMITED LICENSE GRANTED UNDER THIS
7 SUBSECTION FOR 1 ADDITIONAL 2-YEAR PERIOD IF THE INDIVIDUAL
8 DEMONSTRATES TO THE SATISFACTION OF THE BOARD THAT, DUE TO A
9 HARDSHIP, THE INDIVIDUAL NEEDS TIME BEYOND THE TIME DESCRIBED IN
10 SUBDIVISION (B) TO FULFILL THE REQUIREMENTS FOR INITIAL LICENSURE
11 AS A PSYCHOLOGICAL ASSOCIATE UNDER SUBSECTION (7) OR A
12 PSYCHOLOGIST.

13 (7) THE BOARD SHALL GRANT A FULL LICENSE AS A PSYCHOLOGICAL
14 ASSOCIATE TO AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING
15 REQUIREMENTS:

16 (A) HE OR SHE HAS A MASTER'S DEGREE IN PSYCHOLOGY FROM A
17 REGIONALLY ACCREDITED OR BOARD APPROVED COLLEGE, UNIVERSITY, OR
18 INSTITUTION, THE PREPARATION FOR WHICH INCLUDED EDUCATION AND
19 TRAINING APPROPRIATE TO ENGAGE IN THE PRACTICE OF A PSYCHOLOGICAL
20 ASSOCIATE.

21 (B) HE OR SHE HAS AT LEAST 4,000 HOURS OF SUPERVISED
22 EXPERIENCE IN THE PRACTICE OF A PSYCHOLOGICAL ASSOCIATE IN AN
23 ORGANIZED HEALTH CARE SETTING OR OTHER ARRANGEMENT, AS ESTABLISHED
24 BY THE BOARD. THE FOLLOWING APPLY TO THE REQUIREMENT DESCRIBED IN
25 THIS SUBDIVISION:

26 (i) THE BOARD SHALL ONLY RECOGNIZE HOURS THAT ARE ACCUMULATED
27 IN NOT FEWER THAN 2 YEARS OR MORE THAN 4 YEARS. HOWEVER, THE BOARD

1 MAY CONSIDER HOURS THAT ARE ACCUMULATED IN NOT FEWER THAN 2 YEARS
2 OR MORE THAN 6 YEARS IF THE INDIVIDUAL DEMONSTRATES TO THE
3 SATISFACTION OF THE BOARD THAT, DUE TO A HARDSHIP, THE INDIVIDUAL
4 NEEDED TIME BEYOND 4 YEARS TO FULFILL THE 4,000-HOUR REQUIREMENT.

5 (ii) THE HOURS MUST BE COMPLETED UNDER THE SUPERVISION OF A
6 PSYCHOLOGIST WHO HAS A LICENSE OTHER THAN A LIMITED LICENSE.

7 HOWEVER, IF A PSYCHOLOGIST WHO HAS A LICENSE OTHER THAN A LIMITED
8 LICENSE IS NOT AVAILABLE, THE BOARD MAY AUTHORIZE AN INDIVIDUAL WHO
9 HAS A FULL LICENSE AS A PSYCHOLOGICAL ASSOCIATE THAT IS NOT A
10 LIMITED LICENSE AND WHO HAS AT LEAST 3 YEARS OF EXPERIENCE UNDER
11 THE FULL LICENSE AS A PSYCHOLOGICAL ASSOCIATE TO PROVIDE THE
12 SUPERVISION REQUIRED UNDER THIS SUBDIVISION.

13 (C) SUBJECT TO STANDARDS INCLUDED IN ANY RULE PROMULGATED
14 UNDER SUBSECTION (5), HE OR SHE HAS PASSED THE EXAMINATION FOR
15 PROFESSIONAL PRACTICE IN PSYCHOLOGY AS DEVELOPED BY THE ASSOCIATION
16 OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS.

17 (8) THE BOARD SHALL GRANT A FULL LICENSE AS A PSYCHOLOGICAL
18 ASSOCIATE TO AN INDIVIDUAL WHO HAS CONTINUOUSLY HELD A LIMITED
19 LICENSE UNDER SUBSECTION (2) BEFORE THE EFFECTIVE DATE OF THE
20 AMENDATORY ACT THAT ADDED THIS SUBSECTION.

21 (9) NOTWITHSTANDING SECTION 16182, AN INDIVIDUAL WHO IS
22 GRANTED A LICENSE TO ENGAGE IN THE PRACTICE OF A PSYCHOLOGICAL
23 ASSOCIATE UNDER THIS PART SHALL NOT ADMINISTER, PRODUCE, OR
24 DISTRIBUTE WRITTEN OR VERBAL PSYCHOMETRIC ASSESSMENTS, EVALUATIONS,
25 OR REPORTS, OR DOCUMENT OR DISTRIBUTE THE PSYCHOMETRIC ASSESSMENTS,
26 EVALUATIONS, OR REPORTS IN A CLINICAL RECORD UNLESS SUPERVISED AND
27 COUNTERSIGNED BY A PSYCHOLOGIST WHO HAS A LICENSE OTHER THAN A

1 LIMITED LICENSE. AN INDIVIDUAL LICENSED AS A PSYCHOLOGICAL
2 ASSOCIATE MAY USE NONPSYCHOMETRIC INTAKE ASSESSMENT TOOLS.

3 Sec. 18233. (1) In addition to the requirements of part 161,
4 the board may require **THAT** a licensee seeking renewal of a license
5 ~~to~~**MUST** furnish the board with satisfactory evidence that during
6 the 2 years immediately preceding application for renewal the
7 licensee ~~has~~ attended continuing education courses or programs **THAT**
8 **ARE DESIGNED TO FURTHER EDUCATE LICENSEES AND ARE** approved by the
9 board. ~~totaling not less than a~~**THE DEPARTMENT, IN CONSULTATION**
10 **WITH THE BOARD, BY RULE MAY ESTABLISH THE MINIMUM** number of hours
11 ~~established by rule of the board in~~**OF** subjects related to the
12 practice of psychology and ~~designed to further educate licensees.~~**OR**
13 **PRACTICE AS A PSYCHOLOGICAL ASSOCIATE, AS APPROPRIATE, FOR**
14 **CONTINUING EDUCATION COURSES OR PROGRAMS REQUIRED UNDER THIS**
15 **SUBSECTION.**

16 (2) As required under section 16204, the **DEPARTMENT, IN**
17 **CONSULTATION WITH THE** board, shall promulgate rules requiring each
18 applicant for license renewal to complete as part of the continuing
19 education requirement of subsection (1) an appropriate number of
20 hours or courses in pain and symptom management.

21 **SEC. 18236. THE AMENDMENTS TO THIS PART MADE BY THE AMENDATORY**
22 **ACT THAT ADDED THIS SECTION DO NOT REQUIRE NEW OR ADDITIONAL THIRD-**
23 **PARTY REIMBURSEMENT OR MANDATED WORKER'S COMPENSATION BENEFITS FOR**
24 **SERVICES RENDERED BY AN INDIVIDUAL WHO IS LICENSED AS A**
25 **PSYCHOLOGICAL ASSOCIATE UNDER THIS PART.**

26 Sec. 18237. A ~~psychologist licensed or allowed to use that~~
27 ~~title~~**LICENSEE** under this part or an individual under his or her

1 supervision cannot be compelled to disclose confidential
2 information acquired from an individual consulting the ~~psychologist~~
3 **LICENSEE** in his or her professional capacity if the information is
4 necessary to enable the ~~psychologist~~**LICENSEE** to render services.
5 Information may be disclosed with the consent of the individual
6 consulting the ~~psychologist~~**LICENSEE**, or if the individual
7 consulting the ~~psychologist~~**LICENSEE** is a minor, with the consent
8 of the minor's guardian, pursuant to section 16222 if the
9 ~~psychologist~~**LICENSEE** reasonably believes it is necessary to
10 disclose the information to comply with section 16222, or under
11 section 16281. In a contest on the admission of a deceased
12 individual's will to probate, an heir at law of the decedent,
13 whether a proponent or contestant of the will, and the personal
14 representative of the decedent may waive the privilege created by
15 this section.