

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL NO. 1333

By: Monson of the Senate

and

Blackburn of the House

COMMITTEE SUBSTITUTE

An Act relating to professions and occupations;

requiring state agencies contracting for behavioral services to promulgate certain rules related to certain providers; amending 59 O.S. 1991, Section 1353, as amended by Section 5, Chapter 168, O.S.L. 1993 (59 O.S. Supp. 1997, Section 1353), which relates to the Psychologists Licensing Act; adding to list of entities that are exempt from the act; clarifying gender references; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 85.9G of Title 74, unless there is created a duplication in numbering, reads as follows:

The governing bodies of the state agencies contracting for behavioral services shall each promulgate rules establishing the qualifications for those employees of the contract providers when

such agency delivers behavioral health care services pursuant to a contract or subcontract with the state agencies.

SECTION 2. AMENDATORY 59 O.S. 1991, Section 1353, as amended by Section 5, Chapter 168, O.S.L. 1993 (59 O.S. Supp. 1997, Section 1353), is amended to read as follows:

Section 1353. No person shall represent himself or herself as a psychologist or engage in the practice of psychology unless such person is licensed pursuant to the provisions of the Psychologists Licensing Act. The provisions of the Psychologists Licensing Act shall not apply to:

1. The teaching of psychology, the conduct of psychological research, or the provision of psychological services or consultation to organizations or institutions, provided that such teaching, research, or service does not involve the delivery or supervision of direct psychological services to individuals or groups of individuals who are themselves, rather than a third party, the intended beneficiaries of such services, without regard to the source or extent of payment for services rendered. Nothing in the Psychologists Licensing Act shall prevent the provision of expert testimony by psychologists who are otherwise exempt by this act. Persons holding an earned doctoral degree in psychology from an institution of higher education may use the title "psychologist" in conjunction with the activities permitted by this subsection;

2. Qualified members of other professions, including, but not limited to, physicians, licensed social workers, licensed professional counselors, licensed marital and family therapists, or pastoral counselors, doing work of a psychological nature consistent with their training and consistent with the code of ethics of their respective professions provided they do not hold themselves out to the public by any title or description incorporating the word psychological, psychologist, or psychology;

3. The activities, services, and use of an official title by a person in the employ of a state agency, if such activities ~~and~~, services, and use are a part of the duties of the office or position of such person within such agency or institution;

4. The activities, services, and use of an official title by a person in the employ of a private nonprofit agency providing counseling services pursuant to a contract or subcontract with state agencies;

5. The activities and services of a student, intern, or resident in psychology, pursuing a course of study at a university or college that is regionally accredited by an organization recognized by the United States Department of Education, or working in a training center recognized by that university or college, if such activities and services constitute a part of the supervised course of study of such student, intern, or resident;

~~5.~~ 6. Individuals who have been certified as school psychologists by the Oklahoma State Department of Education. They shall be permitted to use the term "certified school psychologist". Such persons shall be restricted in their practice to employment within those settings under the purview of the State Board of Education;

~~6.~~ 7. The activities and services of a person who performs psychological services pursuant to the direct supervision of a licensed psychologist or psychiatrist or an applicant for licensure who is engaged in the applicant's postdoctoral year of supervision. Such person shall be subject to approval by the Board and to such rules ~~and regulations~~ as the Board may prescribe pursuant to the provisions of the Psychologists Licensing Act;

~~7.~~ 8. The activities and services of a nonresident of this state who renders consulting or other psychological services if such activities and services are rendered for a period which does not exceed in the aggregate more than five (5) days during any year and

if the nonresident is authorized pursuant to the laws of the state or country of ~~his~~ the person's residence to perform these activities and services. Such person shall inform the Board prior to initiation of services; or

~~8.~~ 9. For one (1) year the activities and services of a person who has recently become a resident of this state and has had his or her application for licensing accepted by the Board, and if the person was authorized by the laws of the state or country of his or her former residence to perform such activities and services.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-2-11167

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