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SENATE BILL 277

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Manny M Aragon

AN ACT

RELATING TO PUBLIC HEALTH; REDEFINING "SCHOOL" OR "COLLEGE" AS
USED IN THE PROFESSIONAL PSYCHOLOGIST ACT; CHANGING THE
EXAMINATION REQUIREMENTS FOR LICENSURE OF PSYCHOLOGISTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 61-9-3 NMSA 1978 (being Laws 1963,
Chapter 92, Section 3, as amended by Laws 1996, Chapter 51,
Section 5 and also by Laws 1996, Chapter 54, Section 1) is
amended to read:

"61-9-3. DEFINITIONS. -- As used in the Professional
Psychologist Act:

A. "board" means the New Mexico state board of
psychologist examiners;

B. "person" includes an individual, firm,
partnership, association or corporation;

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1 C. "psychologist" means any person who engages in
2 the practice of psychology or holds himself out to the public
3 by any title or description of services representing himself
4 as a psychologist, which incorporates the words
5 "psychological", "psychologist", "psychology", or when a
6 person describes himself as above and, under such title or
7 description, offers to render or renders services involving
8 the application of principles, methods and procedures of the
9 science and profession of psychology to persons for
10 compensation or other personal gain;

11 D. "practice of psychology" means the observation,
12 description, evaluation, interpretation and modification of
13 human behavior by the application of psychological principles,
14 methods and procedures for the purpose of preventing or
15 eliminating symptomatic, maladaptive or undesired behavior and
16 of enhancing interpersonal relationships, work and life
17 adjustment, personal effectiveness, behavioral health and
18 mental health, and further means the rendering of such
19 psychological services to individuals, families or groups
20 regardless of whether payment is received for services
21 rendered. The practice of psychology includes [~~but is not~~
22 ~~limited to~~] psychological testing or neuropsychological
23 testing and the evaluation or assessment of personal
24 characteristics such as intelligence, personality, abilities,
25 interests, aptitudes and neuropsychological functioning;

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1 counseling, psychoanalysis, psychotherapy, hypnosis,
2 biofeedback, behavior analysis and therapy; diagnosis and
3 treatment of any mental and emotional disorder or disability,
4 alcoholism and substance abuse, disorders of habit or conduct
5 and the psychological aspects of physical illness, accident,
6 injury and disability; and psychoeducational evaluation,
7 therapy, remediation and consultation; and

8 E. "school" or "college" means any university or
9 other institution of higher education that is regionally
10 accredited [~~or approved by the American psychological~~
11 ~~association~~] and that offers a full-time graduate course of
12 study in psychology as defined by [~~regulation~~] rule of the
13 board or that is approved by the American psychological
14 association. "

15 Section 2. Section 61-9-11 NMSA 1978 (being Laws 1963,
16 Chapter 92, Section 10, as amended) is amended to read:

17 "61-9-11. LICENSURE-- EXAMINATION. --

18 A. The board shall issue a license as a
19 psychologist to each applicant who files an application upon a
20 form and in such manner as the board prescribes, accompanied
21 by the fee required by the Professional Psychologist Act, and
22 who furnishes evidence satisfactory to the board that he:

23 (1) has reached the age of majority;

24 (2) is of good moral character;

25 (3) is not in violation of any of the

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1 provisions of the Professional Psychologist Act and the rules
2 [~~and regulations~~] adopted pursuant to that act;

3 (4) holds a doctoral degree based in part on
4 a psychological dissertation from a school or college;

5 (5) has had an internship approved by the
6 American psychological association and one year of experience
7 after receiving the doctoral degree or has had, after
8 receiving the doctoral degree, at least two years of
9 supervised experience in psychological work of a type
10 satisfactory to the board; and

11 (6) demonstrates professional competence by
12 passing:

13 (a) the examination for professional
14 practice in psychology promulgated by the association of state
15 and provincial psychology boards with [~~a minimum score~~
16 ~~equivalent to or greater than the statistical mean as reported~~
17 ~~by the association of state and provincial psychology boards~~
18 ~~for all doctoral-level candidates taking the examination on~~
19 ~~that occasion~~] a score equal to or greater than the passing
20 score recommended by the association of state and provincial
21 psychology boards; and

22 (b) an oral examination administered
23 and graded by the board, investigating the applicant's
24 training, experience and knowledge. The oral examination
25 shall be evaluated on a pass-fail basis.

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B. Upon investigation of the application and other evidence submitted, the board shall, not less than thirty days prior to the examination, notify each applicant that the application and evidence submitted for licensure are satisfactory and accepted or unsatisfactory and rejected. If rejected, the notice shall state the reasons for rejection.

C. The place of examination shall be designated in advance by the board, and examinations shall be given at such time and place and under such supervision as the board may determine.

D. In the event an applicant fails to receive a passing grade, he may apply for [~~re-examinations~~] reexamination and shall be allowed to take a subsequent examination upon payment of the fee required by the Professional Psychologist Act.

E. The board shall keep a record of all examinations, and the grade assigned to each, as part of its records for at least two years subsequent to the date of examination. "

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FIRST SESSION, 1999

March 1, 1999

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

SENATE BILL 277

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 4, line 19, after the bracket insert "a total raw score of 140 (70%) before January 1, 1993 or, if after January 1, 1993, ".

2. On page 5, between lines 19 and 20, insert the following new section:

"Section 3. TEMPORARY PROVISION. -- Any person who, on the effective date of this act, is licensed as a psychologist associate and has met all of the requirements of Section 61-9-11

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FORTY- FOURTH LEGISLATURE
FIRST SESSION, 1999

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NMSA 1978 shall be issued a license as a psychologist without
having to retake the examinations required by that section.".,
and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

Shannon Robinson, Chairman

Adopted _____ Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

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Excused: Boi tano, Garcia, Stockard, Smi th

Absent: None

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1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 March 18, 1999
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8 Mr. Speaker:
9

10 Your BUSINESS AND INDUSTRY COMMITTEE, to whom has
11 been referred
12

13 SENATE BILL 277, as amended
14

15 has had it under consideration and reports same with
16 recommendation that it DO PASS.

17 Respectfully submitted,
18

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21 _____
22 Fred Luna, Chairman
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FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

3 HBIC/SB 277

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4 Adopted _____ Not Adopted _____
5 (Chief Clerk) (Chief Clerk)

7 Date _____

9 The roll call vote was 11 For 0 Against

10 Yes: 11

11 Excused: Hobbs

12 Absent: None

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