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SENATE BILL 6135

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State of Washington

53rd Legislature

1994 Regular Session

By Senators Talmadge, McDonald and Prentice

Read first time 01/13/94. Referred to Committee on Health & Human Services.

1 AN ACT Relating to psychologists; amending RCW 18.83.010,  
2 18.83.050, 18.83.100, 18.83.135, 18.83.155, 18.83.910, and 18.83.911;  
3 and repealing RCW 18.83.025 and 18.83.168.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 18.83.010 and 1991 c 3 s 193 are each amended to read  
6 as follows:

7 When used in this chapter:

8 (1) The "practice of psychology" means the (~~application of~~  
9 ~~established principles of learning, motivation, perception, thinking~~  
10 ~~and emotional relationships to problems of evaluation, group relations~~  
11 ~~and behavior adjustment, including but not limited to: (a) Counseling~~  
12 ~~and guidance; (b) use of psychotherapeutic techniques with clients who~~  
13 ~~have adjustment problems in the family, at school, at work or in~~  
14 ~~interpersonal relationships; (c) measuring and testing of personality,~~  
15 ~~intelligence, aptitudes, emotions, public opinion, attitudes and~~  
16 ~~skills)) observation, evaluation, interpretation, and modification of  
17 human behavior by the application of psychological principles, methods,  
18 and procedures for the purposes of preventing or eliminating  
19 symptomatic or maladaptive behavior and promoting mental and behavioral~~

1 health. It includes, but is not limited to, providing the following  
2 services to individuals, families, groups, organizations, and the  
3 public, whether or not payment is received for services rendered:

4 (a) Psychological measurement, assessment, and evaluation by means  
5 of psychological, neuropsychological, and psychoeducational testing;

6 (b) Diagnosis and treatment of mental, emotional, and behavioral  
7 disorders, and psychological aspects of illness, injury, and  
8 disability; and

9 (c) Counseling and guidance, psychotherapeutic techniques,  
10 remediation, health promotion, and consultation within the context of  
11 established psychological principles and theories.

12 This definition does not include the teaching of principles of  
13 psychology for accredited educational institutions, or the conduct of  
14 research in problems of human or animal behavior.

15 Nothing in this definition shall be construed as permitting the  
16 administration or prescribing of drugs or in any way infringing upon  
17 the practice of medicine and surgery as defined in chapter 18.71 RCW.

18 (2) "Secretary" means the secretary of health.

19 (3) "Board" means the examining board of psychology.

20 (4) (~~"Committee" means the disciplinary committee established by~~  
21 ~~the board.~~

22 ~~(5))~~ "Department" means the department of health.

23 **Sec. 2.** RCW 18.83.050 and 1991 c 3 s 196 are each amended to read  
24 as follows:

25 (1) The board shall adopt such rules as it deems necessary to carry  
26 out its functions.

27 (2) The board shall examine the qualifications of applicants for  
28 licensing under this chapter, to determine which applicants are  
29 eligible for licensing under this chapter and shall forward to the  
30 secretary the names of applicants so eligible.

31 (3) The board shall administer examinations to qualified applicants  
32 on at least an annual basis. The board shall determine the subject  
33 matter and scope of the examinations and shall require both written and  
34 oral examinations of each applicant, except as provided in RCW  
35 18.83.170. The board may allow applicants to take the written  
36 examination upon the granting of their doctoral degree before  
37 completion of their internship for supervised experience.

1 (4) The board shall keep a complete record of its own proceedings,  
2 of the questions given in examinations, of the names and qualifications  
3 of all applicants, and the names and addresses of all licensed  
4 psychologists. The examination paper of such applicant shall be kept  
5 on file for a period of at least one year after examination.

6 (5) The board shall, by rule, adopt a code of ethics for  
7 psychologists which is designed to protect the public interest.

8 ~~(6) ((The board shall create a disciplinary committee within the  
9 board for the purposes of hearing, examining, and ruling on complaints  
10 and evidence of unethical conduct or practices brought by the public,  
11 other psychologists, organizations, corporations, public or private  
12 agencies, or officers, agencies, or instrumentalities of state, county,  
13 or local governments.~~

14 ~~(7))~~) The board may require that persons licensed under this  
15 chapter as psychologists obtain and maintain professional liability  
16 insurance in amounts determined by the board to be practicable and  
17 reasonably available.

18 **Sec. 3.** RCW 18.83.100 and 1986 c 27 s 5 are each amended to read  
19 as follows:

20 Failure to renew a license as provided in this chapter ~~((shall  
21 suspend such))~~ expires the license. A license holder whose license has  
22 ~~((been suspended))~~ expired for failure to renew may reinstate such  
23 license by paying to the state treasurer the renewal fees for all of  
24 the years in which such failure occurred, together with a renewal fee  
25 for the current year, but not to exceed five years. However, no  
26 renewal license shall be issued unless the board shall find that the  
27 applicant has not violated any provision of this chapter since his or  
28 her license was ~~((suspended))~~ expired.

29 **Sec. 4.** RCW 18.83.135 and 1992 c 12 s 1 are each amended to read  
30 as follows:

31 ~~((The disciplinary committee shall meet at least once each year or  
32 upon the call of the chairperson at such time and place as the  
33 chairperson designates. A quorum for transaction of any business shall  
34 consist of three members, one of whom must be a public member.~~

35 ~~The members of the disciplinary committee shall be immune from suit  
36 in any action, civil or criminal, based upon its disciplinary~~

1 ~~proceedings or other official acts performed in good faith as members~~  
2 ~~of the committee.))~~

3 In addition to the authority prescribed under RCW 18.130.050, the  
4 ~~((committee))~~ board shall have the following authority:

5 (1) To maintain records of all activities, and to publish and  
6 distribute to all psychologists at least once each year abstracts of  
7 significant activities of the committee; and

8 (2) To obtain the written consent of the complaining client or  
9 patient or their legal representative, or of any person who may be  
10 affected by the complaint, in order to obtain information which  
11 otherwise might be confidential or privileged.

12 ~~((3) Whenever the workload of the committee requires, the board~~  
13 ~~may request that the secretary appoint pro tempore members. While~~  
14 ~~serving as members pro tempore persons shall have all the powers,~~  
15 ~~duties, and immunities, and are entitled to the emoluments, including~~  
16 ~~travel expenses, of the committee.))~~

17 **Sec. 5.** RCW 18.83.155 and 1987 c 150 s 54 are each amended to read  
18 as follows:

19 The ~~((committee))~~ board shall report to appropriate national and  
20 state organizations which represent the profession of psychology any  
21 disciplinary action ~~((taken pursuant to an investigation or hearing~~  
22 ~~that finds a licensee has committed unprofessional or unethical~~  
23 ~~conduct))~~.

24 **Sec. 6.** RCW 18.83.910 and 1990 c 297 s 7 are each amended to read  
25 as follows:

26 The powers and duties of the examining board of psychology shall be  
27 terminated on June 30, ~~((1995))~~ 2004, as provided in RCW 18.83.911.

28 **Sec. 7.** RCW 18.83.911 and 1990 c 297 s 8 are each amended to read  
29 as follows:

30 The following acts or parts of acts, as now existing or hereafter  
31 amended, are each repealed, effective June 30, ~~((1996))~~ 2005:

32 (1) Section 76, chapter 279, Laws of 1984, section 2, chapter 27,  
33 Laws of 1986, section 1, chapter 226, Laws of 1989 and RCW 18.83.035;

34 (2) Section 77, chapter 279, Laws of 1984 and RCW 18.83.045;

1 (3) Section 5, chapter 305, Laws of 1955, section 5, chapter 70,  
2 Laws of 1965, section 78, chapter 279, Laws of 1984, section 3, chapter  
3 27, Laws of 1986 and RCW 18.83.050; and

4 (4) Section 21, chapter 70, Laws of 1965, section 19, chapter 199,  
5 Laws of 1969 ex. sess., section 48, chapter 34, Laws of 1975-'76 2nd  
6 ex. sess., section 10, chapter 168, Laws of 1983, section 48, chapter  
7 287, Laws of 1984 and RCW 18.83.051.

8 NEW SECTION. **Sec. 8.** The following acts or parts of acts are each  
9 repealed:

10 (1) RCW 18.83.025 and 1991 c 3 s 194 & 1984 c 279 s 87; and

11 (2) RCW 18.83.168 and 1986 c 27 s 7.

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