

2017 Regular Session

SENATE BILL NO. 37

BY SENATOR MARTINY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PSYCHOLOGISTS. Provides relative to the Louisiana State Board of Examiners of Psychologists. (gov sig)

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AN ACT

To amend and reenact R.S. 37:2353(C)(5), 2354(B)(1), 2356(A)(6), and 2359(C) and to enact R.S. 37:21(B)(12) and 2354(B)(4) and (5), relative to the Louisiana State Board of Examiners of Psychologists; to provide for an exemption granted to certain boards; to provide for authority to conduct hearings; to provide for hearing fees; to provide for informal resolution fees; to provide for experience substitutions; to provide for authority to withhold license; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:2353(C)(5), 2354(B)(1), 2356(A)(6), and 2359(C) are hereby amended and reenacted and R.S. 37:21(B)(12) and 2354(B)(4) and (5) are hereby enacted to read as follows:

§21. Limitations on disciplinary proceedings by professional or occupational boards and commissions

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B. The provisions of this Section shall not apply to the following:

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(12) The Louisiana State Board of Examiners of Psychologists.

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§2353. State board of examiners; organization; duties; meetings; fees

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C. The board is authorized and empowered to:

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(5) Conduct hearings upon complaints concerning the disciplining of a psychologist; ~~provided that, notwithstanding Chapter 1-A of Title 37 of the Louisiana Revised Statutes of 1950, no disciplinary proceeding shall be commenced more than one year after the date upon which the board knows or should know of the act or omission upon which the disciplinary action is based.~~

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§2354. Fees

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B.(1) The board shall charge an application fee to all applicants for licensure. The board may also charge a written examination fee and an oral examination fee. ~~A hearing fee may also be charged at the discretion of the board.~~ The board shall establish a reasonable fee schedule in conformity with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

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(4) The board may charge a hearing fee to include reasonable costs and fees incurred by the board for the hearing or proceedings, including its legal fees, stenographer, investigator, staff, and witness fees and any such costs and fees incurred by the board on any judicial review or appeal.

(5) The board may charge an informal resolution fee to include reasonable costs and fees incurred by the board for a disciplinary action that is resolved by settlement, consent decree, or other informal resolution, including its legal fees, stenographer, investigator, staff, and witness fees.

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1 §2356. Licensure of psychologists by written and oral examination

2 A. The board shall issue a license as a psychologist to each applicant who
3 shall file an application upon a form and in such a manner as the board prescribes,
4 accompanied by such fee as required by this Chapter, and who furnishes evidence
5 to that board that, except as otherwise required by law, he:

6 * * *

7 (6) Has a minimum of two years of experience practicing psychology under
8 the supervision of a psychologist, one year of which may be a predoctoral internship
9 as defined in the rules and regulations of the board and required as part of the
10 doctoral degree in psychology as defined by the board and all other experience being
11 post-doctoral. **Psychologists who can demonstrate five years of licensed practice**
12 **as a psychologist in another state, with no disciplinary actions, may qualify to**
13 **meet one year of post-doctoral experience as defined in the rules and regulations**
14 **of the board.**

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16 §2359. Denial, revocation, or suspension of license; psychologist; provisional
17 license; specialist in school psychology

18 * * *

19 C. Proceedings for disciplinary action or for the denial or withholding of a
20 license or provisional license under the authority of this Section shall be conducted
21 in compliance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq.
22 The board may require a person against whom disciplinary action has been taken by
23 the board after hearing **or informal resolution** to pay reasonable costs of the
24 proceedings incurred by the board for hearing and any judicial review, including
25 **attorney legal fees**, stenographer, **investigator, staff**, and witness fees. These costs
26 shall be paid no later than thirty days after the adjudication by the board becomes
27 final. No license or provisional license shall be issued, reinstated, or renewed until
28 such costs have been paid.

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