

psychologist member of the board of examiners be a U.S. citizen and resident of Louisiana who has rendered service, teaching, training, or research in psychology for at least five years, shall have held a doctoral degree in psychology from a school or college for a period of five years, and shall be licensed under by the board of for a minimum of five years.

Proposed law removes the requirement five years of service, teaching or research; removes the five year requirement that one possess a doctoral degree for five years, and have been licensed by the board of at least five years.

Proposed law requires that no more than two early career psychologists shall hold a seat on the board at any given time. Requires that early career psychologists have rendered service, teaching, training, or research in psychology for at least three years; have held a doctoral degree in psychology from a school or college for a period of one year upon taking office, and shall be licensed by the board. Provides that there is no requirement that seat on the board be held by an early career psychologist.

Requires that all other board members be held by psychologist members who have rendered service, teaching, training, or research in psychology for at least five years; held a doctoral degree in psychology from a school or college for a period of five years, and shall be licensed by the board.

Proposed law retains present law regarding the consumer member of the board.

Proposed law requires that board members complete training in governmental ethics, anti-trust compliance, and sexual harassment prevention and other mandatory training subsequently required by a governing authority, including the board.

Proposed law authorizes the board to employ an executive director and other full-time or part-time professional, legal, investigative, and special agents. Requires that the board appoint an executive director who shall be in the unclassified employee of the state and who shall receive a salary determined by the board along with reimbursement for the actual and reasonable expenses approved by the board. Provides for the duties of the executive director which include the following activities:

- (1) Administer oaths, in the taking of testimony at any hearing before the board or appoint a designee by resolution or contract to administer oaths upon any matters relative to the duties of the board or violation of this Chapter.
- (2) Issue subpoena or appoint a designee by resolution, to require attendance, testimony, and the production of documents to enforce the laws and rules relative to the practice of psychology and to secure evidence of violations thereof.
- (3) Take emergency action as may be required by law.
- (4) Establish an advisory committee to assist the board with specialized projects or research as prescribed by the board.
- (5) Establish an executive committee with authority to establish through formal action to execute

certain tasks and duties of the board, including but not limited to issuing subpoena and summary suspension authority, and utilized to facilitate the proper functioning of the board.

- (6) Establish standing committees to facilitate the proper functioning of the board.
- (7) Provide education to licensees and to the public relating to the purpose of the board, applicable laws and rules, and public health, safety, and welfare as it pertains to the practice of psychology.

Proposed law provides for the following as to fees assessed by the board:

- (1) Fees assessed by the board for application for approval of a continuing education course or activity sponsor shall not exceed \$250.
- (2) Fees assessed by the board on an individual licensee for review of a course or activity of continuing education shall not exceed \$20 and that this fee applies only if a licensee intends to earn continuing education credit for a course or activity in which the sponsor has not sought review or obtained approval by the board.
- (3) Fees assessed by the board shall not exceed \$200 for special services including, but not limited to the following:
 - (a) Applications for authority to conduct telesupervision.
 - (b) Inactive status and renewal.
 - (c) Emeritus status and renewal.
 - (d) Mailing lists.
 - (e) Continuing professional development.
 - (f) Other applications duly authorized by rulemaking.
- (4) Fees assessed by the board for a written or computer generated license verification, certified board actions, a duplicate license, or a duplicate renewal certificate shall not exceed \$50 each.

Authorizes the board to assess a fee in the amount of the actual fees and costs for actual administrative functions that it performs.

Proposed law provides that information or reports concerning or relating to improper conduct by, or the impairment of applicants, candidates, psychologists, assistants to psychologists, and specialists in school psychology, and any other applications, licenses, and registrations authorized that the board obtains through an investigation are confidential.

Present law requires that upon investigation of the application and other evidence submitted, the board, not less than thirty days prior to the examination, is to notify each applicant that the application and evidence submitted for licensure is satisfactory and accepted and that the applicant has been admitted to candidacy status, or unsatisfactory and rejected; if rejected, said notice shall state the reasons for such rejection.

Proposed law removes the thirty day requirement.

Present law provides for applications for a provisional licensed psychologist. Proposed law provides that upon investigation of the application, the board is to notify each applicant that the application and evidence submitted for licensure is satisfactory and accepted and that the applicant has been admitted, or unsatisfactory and rejected; if rejected, the notice shall state the reasons for the rejection.

Present law provides for applications for a specialist in school psychology. Proposed law provides that upon investigation of the application, the board is to notify each applicant that the application and evidence submitted for licensure is satisfactory and accepted and that the applicant has been admitted, or unsatisfactory and rejected; if rejected, the notice shall state the reasons for the rejection.

Proposed law authorizes the board of promulgate rules and regulations regarding registration, supervision, renewal, scope and limitations of an assistant to psychologist.

Proposed law authorizes the board to issue a certificate of registration as an assistant to psychologist to persons meeting certain criteria enumerated. Requires the board, prior to issuance of a registration, to initiate a criminal background report from the La. Bureau of Criminal Identification and Information. Proposed law does not authorize the following activities by an assistant to psychologist:

- (1) Engage in any activity or service defined as the independent practice of psychology as defined in this Chapter.
- (2) Work outside the supervisory relationship that is approved by the board through registration.
- (3) Render any diagnosis.
- (4) Sign any evaluations or reports.

Proposed law requires that a supervising psychologist of record is administratively, clinically, and legally responsible for all activities of the assistant to psychologist. Authorizes an assistant to psychologist to dually register and provide services under the direction of more than one supervising psychologists.

Proposed law provides for denial or revocation of a registration as an assistant to psychologist. Provides for notification to the board if a supervisory relationship between a psychologist of record and the assistant to psychologist terminates.

Authorizes the psychologist of record to submit a renewal application and renewal fee which fee

shall not exceed \$75.

Proposed law, relative to assistants to psychologists, does not apply to medical psychologists utilizing assistants under jurisdiction of the Louisiana State Board of Medical Examiners.

Proposed law requires that all proceedings in connection with any investigation by the board shall be conducted in closed session, and are exempt from the provisions of the Public Meetings Law; all records in connection with any investigation by the board are confidential and shall remain confidential and not be open for public inspection unless entered into the record of any court and except as specifically provided by law.

Proposed law authorizes the board, any licensed psychologist, or any other person to initiate a request for an investigation. Provides that a request for an investigation is receipt of information by the board indicating grounds for disciplinary action.

Proposed law provides that a formal complaint is the pleading filed by the board, or its designated complaints review committee, against a respondent, which pleading outlines facts and legal reasons to support formal charges. Provides that service of the pleading marks the completion of an investigation and represents the initiation of formal proceedings.

Proposed law provides that if the board, its designee, or complaints review committee determines that a violation has occurred, or has obtained evidence or information that a violation has occurred that is subject to a criminal investigation or penalties, the information concerning the alleged violation shall be presented to the district attorney in whose district the violation occurred, and shall aid in any criminal prosecution.

Effective August 1, 2020.

(Amends R.S. 37:2352, 2353(3), and (B), and (C), 2356(B) and (C), 2356.2(B), 2358, the introductory paragraph of R.S. 37:2359(B), (B)(1), and (9), (D) through (G), and 2360(B); adds R.S. 37:2353(A)(8), 2354(F) through (J), and 2355(C), 2356.3(A)(3), 2356.4, and 2359(C)(4) and (H) through (J))