

By: Representative Yancey

To: Public Health and Human Services

HOUSE BILL NO. 1202

1 AN ACT TO ENACT THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT
2 AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH
3 OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-31-7,
4 73-31-13, 73-31-14, 73-31-15, 73-31-21 AND 73-31-23, MISSISSIPPI
5 CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO BRING
6 FORWARD SECTIONS 73-31-9, 73-31-25 AND 73-31-27, MISSISSIPPI CODE
7 OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED
8 PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** The Psychology Interjurisdictional Compact is
11 enacted into law and entered into by this state with any and all
12 states legally joining in the Compact in accordance with its
13 terms, in the form substantially as follows:

14 **PSYCHOLOGY INTERJURISDICTIONAL COMPACT**

15 **ARTICLE I.**

16 **PURPOSE.**

17 WHEREAS, states license psychologists, in order to protect
18 the public through verification of education, training and
19 experience and ensure accountability for professional practice;
20 and



21 WHEREAS, this Compact is intended to regulate the day-to-day
22 practice of telepsychology (i.e., the provision of psychological
23 services using telecommunication technologies) by psychologists
24 across state boundaries in the performance of their psychological
25 practice as assigned by an appropriate authority; and

26 WHEREAS, this Compact is intended to regulate the temporary
27 in-person, face-to-face practice of psychology by psychologists
28 across state boundaries for thirty (30) days within a calendar
29 year in the performance of their psychological practice as
30 assigned by an appropriate authority; and

31 WHEREAS, this Compact is intended to authorize state
32 psychology regulatory authorities to afford legal recognition, in
33 a manner consistent with the terms of the Compact, to
34 psychologists licensed in another state; and

35 WHEREAS, this Compact recognizes that states have a vested
36 interest in protecting the public's health and safety through
37 their licensing and regulation of psychologists and that such
38 state regulation will best protect public health and safety; and

39 WHEREAS, this Compact does not apply when a psychologist is
40 licensed in both the home and receiving states; and

41 WHEREAS, this Compact does not apply to permanent in-person,
42 face-to-face practice, but it does allow for authorization of
43 temporary psychological practice.

44 Consistent with these principles, this Compact is designed to
45 achieve the following purposes and objectives:



46 1. Increase public access to professional psychological
47 services by allowing for telepsychological practice across state
48 lines as well as temporary in-person, face-to-face services into a
49 state in which the psychologist is not licensed to practice
50 psychology;

51 2. Enhance the states' ability to protect the public's
52 health and safety, especially client/patient safety;

53 3. Encourage the cooperation of Compact states in the
54 areas of psychology licensure and regulation;

55 4. Facilitate the exchange of information between
56 Compact states regarding psychologist licensure, adverse actions
57 and disciplinary history;

58 5. Promote compliance with the laws governing
59 psychological practice in each Compact state; and

60 6. Invest all Compact states with the authority to hold
61 licensed psychologists accountable through the mutual recognition
62 of Compact state licenses.

63 **ARTICLE II.**

64 **DEFINITIONS.**

65 As used in this Compact, the following terms have the
66 following meanings:

67 1. "Adverse action" means any action taken by a state
68 psychology regulatory authority which finds a violation of a
69 statute or regulation that is identified by the state psychology



70 regulatory authority as discipline and is a matter of public
71 record.

72 2. "Association of State and Provincial Psychology
73 Boards (ASPPB)" means the recognized membership organization
74 composed of state and provincial psychology regulatory authorities
75 responsible for the licensure and registration of psychologists
76 throughout the United States and Canada.

77 3. "Authority to practice interjurisdictional
78 telepsychology" means a licensed psychologist's authority to
79 practice telepsychology, within the limits authorized under this
80 Compact, in another Compact state.

81 4. "Bylaws" means those bylaws established by the
82 Psychology Interjurisdictional Compact Commission pursuant to
83 Article X of the Compact for its governance, or for directing and
84 controlling its actions and conduct.

85 5. "Client/patient" means the recipient of
86 psychological services, whether psychological services are
87 delivered in the context of health care, corporate, supervision,
88 and/or consulting services.

89 6. "Commissioner" means the voting representative
90 appointed by each state psychology regulatory authority pursuant
91 to Article X of the Compact.

92 7. "Compact state" means a state, the District of
93 Columbia, or United States territory that has enacted this Compact
94 legislation and which has not withdrawn pursuant to Article XIII,



95 Section C of the Compact or been terminated pursuant to Article
96 XII, Section B of the Compact.

97 8. "Coordinated licensure information system," also
98 referred to as "coordinated database," means an integrated process
99 for collecting, storing, and sharing information on psychologists'
100 licensure and enforcement activities related to psychology
101 licensure laws, which is administered by the recognized membership
102 organization composed of state and provincial psychology
103 regulatory authorities.

104 9. "Confidentiality" means the principle that data or
105 information is not made available or disclosed to unauthorized
106 persons and/or processes.

107 10. "Day" means any part of a day in which
108 psychological work is performed.

109 11. "Distant state" means the Compact state where a
110 psychologist is physically present (not through the use of
111 telecommunications technologies), to provide temporary in-person,
112 face-to-face psychological services.

113 12. "E-Passport" means a certificate issued by the
114 Association of State and Provincial Psychology Boards (ASPPB) that
115 promotes the standardization in the criteria of
116 interjurisdictional telepsychology practice and facilitates the
117 process for licensed psychologists to provide telepsychological
118 services across state lines.



119 13. "Executive board" means a group of directors
120 elected or appointed to act on behalf of, and within the powers
121 granted to them by, the commission.

122 14. "Home state" means a Compact state where a
123 psychologist is licensed to practice psychology. If the
124 psychologist is licensed in more than one (1) Compact state and is
125 practicing under the authorization to practice interjurisdictional
126 telepsychology, the home state is the Compact state where the
127 psychologist is physically present when the telepsychological
128 services are delivered. If the psychologist is licensed in more
129 than one (1) Compact state and is practicing under the temporary
130 authorization to practice, the home state is any Compact state
131 where the psychologist is licensed.

132 15. "Identity history summary" means a summary of
133 information retained by the FBI, or other designee with similar
134 authority, in connection with arrests and, in some instances,
135 federal employment, naturalization, or military service.

136 16. "In-person, face-to-face" means interactions in
137 which the psychologist and the client/patient are in the same
138 physical space and which does not include interactions that may
139 occur through the use of telecommunication technologies.

140 17. "Interjurisdictional Practice Certificate (IPC)"
141 means a certificate issued by the Association of State and
142 Provincial Psychology Boards (ASPPB) that grants temporary
143 authority to practice based on notification to the state



144 psychology regulatory authority of intention to practice
145 temporarily, and verification of one's qualifications for such
146 practice.

147 18. "License" means authorization by a state psychology
148 regulatory authority to engage in the independent practice of
149 psychology, which would be unlawful without the authorization.

150 19. "Non-Compact state" means any state that is not at
151 the time a Compact state.

152 20. "Psychologist" means an individual licensed for the
153 independent practice of psychology.

154 21. "Psychology Interjurisdictional Compact Commission"
155 also referred to as "commission" means the national administration
156 of which all Compact states are members.

157 22. "Receiving state" means a Compact state where the
158 client/patient is physically located when the telepsychological
159 services are delivered.

160 23. "Rule" means a written statement by the Psychology
161 Interjurisdictional Compact Commission promulgated pursuant to
162 Article XI of the Compact that is of general applicability,
163 implements, interprets, or prescribes a policy or provision of the
164 Compact, or an organizational, procedural, or practice requirement
165 of the commission and has the force and effect of statutory law in
166 a Compact state, and includes the amendment, repeal or suspension
167 of an existing rule.

168 24. "Significant investigatory information" means:



169 a. Investigative information that a state
170 psychology regulatory authority, after a preliminary inquiry that
171 includes notification and an opportunity to respond if required by
172 state law, has reason to believe, if proven true, would indicate
173 more than a violation of state statute or ethics code that would
174 be considered more substantial than minor infraction; or

175 b. Investigative information that indicates that
176 the psychologist represents an immediate threat to public health
177 and safety regardless of whether the psychologist has been
178 notified and/or had an opportunity to respond.

179 25. "State" means a state, commonwealth, territory, or
180 possession of the United States, including the District of
181 Columbia.

182 26. "State psychology regulatory authority" means the
183 board, office or other agency with the legislative mandate to
184 license and regulate the practice of psychology.

185 27. "Telepsychology" means the provision of
186 psychological services using telecommunication technologies.

187 28. "Temporary authorization to practice" means a
188 licensed psychologist's authority to conduct temporary in-person,
189 face-to-face practice, within the limits authorized under this
190 Compact, in another Compact state.

191 29. "Temporary in-person, face-to-face practice" means
192 where a psychologist is physically present (not through the use of
193 telecommunications technologies), in the distant state, to provide



194 for the practice of psychology for thirty (30) days within a
195 calendar year and based on notification to the distant state.

196 **ARTICLE III.**

197 **HOME STATE LICENSURE.**

198 A. The home state shall be a Compact state where a
199 psychologist is licensed to practice psychology.

200 B. A psychologist may hold one or more Compact state
201 licenses at a time. If the psychologist is licensed in more than
202 one (1) Compact state, the home state is the Compact state where
203 the psychologist is physically present when the services are
204 delivered as authorized by the authority to practice
205 interjurisdictional telepsychology under the terms of this
206 Compact.

207 C. Any Compact state may require a psychologist not
208 previously licensed in a Compact state to obtain and retain a
209 license to be authorized to practice in the Compact state under
210 circumstances not authorized by the authority to practice
211 interjurisdictional telepsychology under the terms of this
212 Compact.

213 D. Any Compact state may require a psychologist to obtain
214 and retain a license to be authorized to practice in a Compact
215 state under circumstances not authorized by temporary
216 authorization to practice under the terms of this Compact.



217 E. A home state's license authorizes a psychologist to
218 practice in a receiving state under the authority to practice
219 interjurisdictional telepsychology only if the Compact state:

220 1. Currently requires the psychologist to hold an
221 active E-Passport;

222 2. Has a mechanism in place for receiving and
223 investigating complaints about licensed individuals;

224 3. Notifies the commission, in compliance with the
225 terms herein, of any adverse action or significant investigatory
226 information regarding a licensed individual;

227 4. Requires an identity history summary of all
228 applicants at initial licensure, including the use of the results
229 of fingerprints or other biometric data checks compliant with the
230 requirements of the Federal Bureau of Investigation, or other
231 designee with similar authority, no later than ten (10) years
232 after activation of the Compact; and

233 5. Complies with the bylaws and rules of the
234 commission.

235 F. A home state's license grants temporary authorization to
236 practice to a psychologist in a distant state only if the Compact
237 state:

238 1. Currently requires the psychologist to hold an
239 active IPC;

240 2. Has a mechanism in place for receiving and
241 investigating complaints about licensed individuals;



242 3. Notifies the commission, in compliance with the
243 terms herein, of any adverse action or significant investigatory
244 information regarding a licensed individual;

245 4. Requires an identity history summary of all
246 applicants at initial licensure, including the use of the results
247 of fingerprints or other biometric data checks compliant with the
248 requirements of the Federal Bureau of Investigation, or other
249 designee with similar authority, no later than ten (10) years
250 after activation of the Compact; and

251 5. Complies with the bylaws and rules of the
252 commission.

253 **ARTICLE IV.**

254 **COMPACT PRIVILEGE TO PRACTICE TELEPSYCHOLOGY.**

255 A. Compact states shall recognize the right of a
256 psychologist, licensed in a Compact state in conformance with
257 Article III of the Compact, to practice telepsychology in other
258 Compact states (receiving states) in which the psychologist is not
259 licensed, under the authority to practice interjurisdictional
260 telepsychology as provided in the Compact.

261 B. To exercise the authority to practice interjurisdictional
262 telepsychology under the terms and provisions of this Compact, a
263 psychologist licensed to practice in a Compact state must:

264 1. Hold a graduate degree in psychology from an
265 institute of higher education that was, at the time the degree was
266 awarded:



267 a. Regionally accredited by an accrediting body
268 recognized by the United States Department of Education to grant
269 graduate degrees, or authorized by provincial statute or royal
270 charter to grant doctoral degrees; or

271 b. A foreign college or university deemed to be
272 equivalent to paragraph a. of this subsection 1 by a foreign
273 credential evaluation service that is a member of the National
274 Association of Credential Evaluation Services (NACES) or by a
275 recognized foreign credential evaluation service;

276 2. Hold a graduate degree in psychology that meets the
277 following criteria:

278 a. The program, wherever it may be
279 administratively housed, must be clearly identified and labeled as
280 a psychology program. Such a program must specify in pertinent
281 institutional catalogues and brochures its intent to educate and
282 train professional psychologists;

283 b. The psychology program must stand as a
284 recognizable, coherent, organizational entity within the
285 institution;

286 c. There must be a clear authority and primary
287 responsibility for the core and specialty areas, whether or not
288 the program cuts across administrative lines;

289 d. The program must consist of an integrated,
290 organized sequence of study;



- 291 e. There must be an identifiable psychology
292 faculty sufficient in size and breadth to carry out its
293 responsibilities;
- 294 f. The designated director of the program must be
295 a psychologist and a member of the core faculty;
- 296 g. The program must have an identifiable body of
297 students who are matriculated in that program for a degree;
- 298 h. The program must include supervised practicum,
299 internship, or field training appropriate to the practice of
300 psychology;
- 301 i. The curriculum shall encompass a minimum of
302 three (3) academic years of full-time graduate study for doctoral
303 degree and a minimum of one (1) academic year of full-time
304 graduate study for master's degree;
- 305 j. The program includes an acceptable residency as
306 defined by the rules of the commission;
- 307 3. Possess a current, full and unrestricted license to
308 practice psychology in a home state which is a Compact state;
- 309 4. Have no history of adverse action that violates the
310 rules of the commission;
- 311 5. Have no criminal record history reported on an
312 identity history summary that violates the rules of the
313 commission;
- 314 6. Possess a current, active E-Passport;



315 7. Provide attestations in regard to: areas of
316 intended practice, conformity with standards of practice,
317 competence in telepsychology technology; criminal background; and
318 knowledge and adherence to legal requirements in the home and
319 receiving states, and provide a release of information to allow
320 for primary source verification in a manner specified by the
321 commission; and

322 8. Meet other criteria as defined by the rules of the
323 commission.

324 C. The home state maintains authority over the license of
325 any psychologist practicing into a receiving state under the
326 authority to practice interjurisdictional telepsychology.

327 D. A psychologist practicing into a receiving state under
328 the authority to practice interjurisdictional telepsychology will
329 be subject to the receiving state's scope of practice. A
330 receiving state may, in accordance with that state's due process
331 law, limit or revoke a psychologist's authority to practice
332 interjurisdictional telepsychology in the receiving state and may
333 take any other necessary actions under the receiving state's
334 applicable law to protect the health and safety of the receiving
335 state's citizens. If a receiving state takes action, the state
336 shall promptly notify the home state and the commission.

337 E. If a psychologist's license in any home state, another
338 Compact state, or any authority to practice interjurisdictional
339 telepsychology in any receiving state, is restricted, suspended or



340 otherwise limited, the E-Passport shall be revoked and therefore
341 the psychologist shall not be eligible to practice telepsychology
342 in a Compact state under the authority to practice
343 interjurisdictional telepsychology.

344 **ARTICLE V.**

345 **COMPACT TEMPORARY AUTHORIZATION TO PRACTICE.**

346 A. Compact states shall also recognize the right of a
347 psychologist, licensed in a Compact state in conformance with
348 Article III of the Compact, to practice temporarily in other
349 Compact states (distant states) in which the psychologist is not
350 licensed, as provided in the Compact.

351 B. To exercise the temporary authorization to practice under
352 the terms and provisions of this Compact, a psychologist licensed
353 to practice in a Compact state must:

354 1. Hold a graduate degree in psychology from an
355 institute of higher education that was, at the time the degree was
356 awarded:

357 a. Regionally accredited by an accrediting body
358 recognized by the United States Department of Education to grant
359 graduate degrees, or authorized by provincial statute or royal
360 charter to grant doctoral degrees; or

361 b. A foreign college or university deemed to be
362 equivalent to paragraph a. of this subsection 1 by a foreign
363 credential evaluation service that is a member of the National



364 Association of Credential Evaluation Services (NACES) or by a
365 recognized foreign credential evaluation service;

366 2. Hold a graduate degree in psychology that meets the
367 following criteria:

368 a. The program, wherever it may be
369 administratively housed, must be clearly identified and labeled as
370 a psychology program. Such a program must specify in pertinent
371 institutional catalogues and brochures its intent to educate and
372 train professional psychologists;

373 b. The psychology program must stand as a
374 recognizable, coherent, organizational entity within the
375 institution;

376 c. There must be a clear authority and primary
377 responsibility for the core and specialty areas, whether or not
378 the program cuts across administrative lines;

379 d. The program must consist of an integrated,
380 organized sequence of study;

381 e. There must be an identifiable psychology
382 faculty sufficient in size and breadth to carry out its
383 responsibilities;

384 f. The designated director of the program must be
385 a psychologist and a member of the core faculty;

386 g. The program must have an identifiable body of
387 students who are matriculated in that program for a degree;



388 h. The program must include supervised practicum,
389 internship, or field training appropriate to the practice of
390 psychology;

391 i. The curriculum shall encompass a minimum of
392 three (3) academic years of full-time graduate study for doctoral
393 degrees and a minimum of one (1) academic year of full-time
394 graduate study for master's degree;

395 j. The program includes an acceptable residency as
396 defined by the rules of the commission;

397 3. Possess a current, full and unrestricted license to
398 practice psychology in a home state which is a Compact state;

399 4. Have no history of adverse action that violates the
400 rules of the commission;

401 5. Have no criminal record history that violates the
402 rules of the commission;

403 6. Possess a current, active IPC;

404 7. Provide attestations in regard to areas of intended
405 practice and work experience and provide a release of information
406 to allow for primary source verification in a manner specified by
407 the commission; and

408 8. Meet other criteria as defined by the rules of the
409 commission.

410 C. A psychologist practicing into a distant state under the
411 temporary authorization to practice shall practice within the
412 scope of practice authorized by the distant state.



413 D. A psychologist practicing in a distant state under the
414 temporary authorization to practice will be subject to the distant
415 state's authority and law. A distant state may, in accordance
416 with that state's due process law, limit or revoke a
417 psychologist's temporary authorization to practice in the distant
418 state and may take any other necessary actions under the distant
419 state's applicable law to protect the health and safety of the
420 distant state's citizens. If a distant state takes action, the
421 state shall promptly notify the home state and the commission.

422 E. If a psychologist's license in any home state, another
423 Compact state, or any temporary authorization to practice in any
424 distant state, is restricted, suspended or otherwise limited, the
425 IPC shall be revoked and therefore the psychologist shall not be
426 eligible to practice in a Compact state under the temporary
427 authorization to practice.

428 **ARTICLE VI.**

429 **CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A RECEIVING STATE.**

430 A psychologist may practice in a receiving state under the
431 authority to practice interjurisdictional telepsychology only in
432 the performance of the scope of practice for psychology as
433 assigned by an appropriate state psychology regulatory authority,
434 as defined in the rules of the commission, and under the following
435 circumstances:



436 1. The psychologist initiates a client/patient contact
437 in a home state via telecommunications technologies with a
438 client/patient in a receiving state; and

439 2. Other conditions regarding telepsychology as
440 determined by rules promulgated by the commission.

441 **ARTICLE VII.**

442 **ADVERSE ACTIONS.**

443 A. A home state shall have the power to impose adverse
444 action against a psychologist's license issued by the home state.
445 A distant state shall have the power to take adverse action on a
446 psychologist's temporary authorization to practice within that
447 distant state.

448 B. A receiving state may take adverse action on a
449 psychologist's authority to practice interjurisdictional
450 telepsychology within that receiving state. A home state may take
451 adverse action against a psychologist based on an adverse action
452 taken by a distant state regarding temporary in-person,
453 face-to-face practice.

454 C. If a home state takes adverse action against a
455 psychologist's license, that psychologist's authority to practice
456 interjurisdictional telepsychology is terminated and the
457 E-Passport is revoked. Furthermore, that psychologist's temporary
458 authorization to practice is terminated and the IPC is revoked.

459 1. All home state disciplinary orders which impose
460 adverse action shall be reported to the commission in accordance



461 with the rules promulgated by the commission. A Compact state
462 shall report adverse actions in accordance with the rules of the
463 commission.

464 2. If discipline is reported on a psychologist, the
465 psychologist will not be eligible for telepsychology or temporary
466 in-person, face-to-face practice in accordance with the rules of
467 the commission.

468 3. Other actions may be imposed as determined by the
469 rules promulgated by the commission.

470 D. A home state's psychology regulatory authority shall
471 investigate and take appropriate action with respect to reported
472 inappropriate conduct engaged in by a licensee which occurred in a
473 receiving state as it would if such conduct had occurred by a
474 licensee within the home state. In such cases, the home state's
475 law shall control in determining any adverse action against a
476 psychologist's license.

477 E. A distant state's psychology regulatory authority shall
478 investigate and take appropriate action with respect to reported
479 inappropriate conduct engaged in by a psychologist practicing
480 under temporary authorization practice which occurred in that
481 distant state as it would if such conduct had occurred by a
482 licensee within the home state. In such cases, distant state's
483 law shall control in determining any adverse action against a
484 psychologist's temporary authorization to practice.



485 F. Nothing in this Compact shall override a Compact state's
486 decision that a psychologist's participation in an alternative
487 program may be used in lieu of adverse action and that such
488 participation shall remain nonpublic if required by the Compact
489 state's law. Compact states must require psychologists who enter
490 any alternative programs to not provide telepsychology services
491 under the authority to practice interjurisdictional telepsychology
492 or provide temporary psychological services under the temporary
493 authorization to practice in any other Compact state during the
494 term of the alternative program.

495 G. No other judicial or administrative remedies shall be
496 available to a psychologist if a Compact state imposes an adverse
497 action pursuant to Section C of this Article.

498 **ARTICLE VIII.**

499 **ADDITIONAL AUTHORITIES INVESTED IN A COMPACT**

500 **STATE'S PSYCHOLOGY REGULATORY AUTHORITY.**

501 A. In addition to any other powers granted under state law,
502 a Compact state's psychology regulatory authority shall have the
503 authority under this Compact to:

504 1. Issue subpoenas, for both hearings and
505 investigations, which require the attendance and testimony of
506 witnesses and the production of evidence. Subpoenas issued by a
507 Compact state's psychology regulatory authority for the attendance
508 and testimony of witnesses, and/or the production of evidence from
509 another Compact state, shall be enforced in the latter state by



510 any court of competent jurisdiction, according to that court's
511 practice and procedure in considering subpoenas issued in its own
512 proceedings. The issuing state psychology regulatory authority
513 shall pay any witness fees, travel expenses, mileage and other
514 fees required by the service statutes of the state where the
515 witnesses and/or evidence are located; and

516 2. Issue cease and desist and/or injunctive relief
517 orders to revoke a psychologist's authority to practice
518 interjurisdictional telepsychology and/or temporary authorization
519 to practice.

520 B. During the course of any investigation, a psychologist
521 may not change his or her home state licensure. A home state
522 psychology regulatory authority is authorized to complete any
523 pending investigations of a psychologist and to take any actions
524 appropriate under its law. The home state psychology regulatory
525 authority shall promptly report the conclusions of such
526 investigations to the commission. Once an investigation has been
527 completed, and pending the outcome of the investigation, the
528 psychologist may change his or her home state licensure. The
529 commission shall promptly notify the new home state of any such
530 decisions as provided in the rules of the commission. All
531 information provided to the commission or distributed by Compact
532 states pursuant to the psychologist shall be confidential, filed
533 under seal and used for investigatory or disciplinary matters.



534 The commission may create additional rules for mandated or
535 discretionary sharing of information by Compact states.

536 **ARTICLE IX.**

537 **COORDINATED LICENSURE INFORMATION SYSTEM.**

538 A. The commission shall provide for the development and
539 maintenance of a coordinated licensure information system
540 (coordinated database) and reporting system containing licensure
541 and disciplinary action information on all psychologists to whom
542 this Compact is applicable in all Compact states as defined by the
543 rules of the commission.

544 B. Notwithstanding any other provision of state law to the
545 contrary, a Compact state shall submit a uniform data set to the
546 coordinated database on all licensees as required by the rules of
547 the commission, including:

- 548 1. Identifying information;
- 549 2. Licensure data;
- 550 3. Significant investigatory information;
- 551 4. Adverse actions against a psychologist's license;
- 552 5. An indicator that a psychologist's authority to
553 practice interjurisdictional telepsychology and/or temporary
554 authorization to practice is revoked;
- 555 6. Nonconfidential information related to alternative
556 program participation information;
- 557 7. Any denial of application for licensure, and the
558 reasons for such denial; and



559 8. Other information which may facilitate the
560 administration of this Compact, as determined by the rules of the
561 commission.

562 C. The coordinated database administrator shall promptly
563 notify all Compact states of any adverse action taken against, or
564 significant investigative information on, any licensee in a
565 Compact state.

566 D. Compact states reporting information to the coordinated
567 database may designate information that may not be shared with the
568 public without the express permission of the Compact state
569 reporting the information.

570 E. Any information submitted to the coordinated database
571 that is subsequently required to be expunged by the law of the
572 Compact state reporting the information shall be removed from the
573 coordinated database.

574 **ARTICLE X.**

575 **ESTABLISHMENT OF THE PSYCHOLOGY**

576 **INTERJURISDICTIONAL COMPACT COMMISSION.**

577 A. The Compact states hereby create and establish a joint
578 public agency known as the Psychology Interjurisdictional Compact
579 Commission.

580 1. The commission is a body politic and an
581 instrumentality of the Compact states.

582 2. Venue is proper and judicial proceedings by or
583 against the commission shall be brought solely and exclusively in



584 a court of competent jurisdiction where the principal office of
585 the commission is located. The commission may waive venue and
586 jurisdictional defenses to the extent it adopts or consents to
587 participate in alternative dispute resolution proceedings.

588 3. Nothing in this Compact shall be construed to be a
589 waiver of sovereign immunity.

590 B. Membership, voting, and meetings.

591 1. The commission shall consist of one (1) voting
592 representative appointed by each Compact state who shall serve as
593 that state's commissioner. The state psychology regulatory
594 authority shall appoint its delegate. This delegate shall be
595 empowered to act on behalf of the Compact state. This delegate
596 shall be limited to:

597 a. Executive director, executive secretary or
598 similar executive;

599 b. Current member of the state psychology
600 regulatory authority of a Compact state; or

601 c. Designee empowered with the appropriate
602 delegate authority to act on behalf of the Compact state.

603 2. Any commissioner may be removed or suspended from
604 office as provided by the law of the state from which the
605 commissioner is appointed. Any vacancy occurring in the
606 commission shall be filled in accordance with the laws of the
607 Compact state in which the vacancy exists.



608 3. Each commissioner shall be entitled to one (1) vote
609 with regard to the promulgation of rules and creation of bylaws
610 and shall otherwise have an opportunity to participate in the
611 business and affairs of the commission. A commissioner shall vote
612 in person or by such other means as provided in the bylaws. The
613 bylaws may provide for commissioners' participation in meetings by
614 telephone or other means of communication.

615 4. The commission shall meet at least once during each
616 calendar year. Additional meetings shall be held as set forth in
617 the bylaws.

618 5. All meetings shall be open to the public, and public
619 notice of meetings shall be given in the same manner as required
620 under the rulemaking provisions in Article XI of the Compact.

621 6. The commission may convene in a closed, nonpublic
622 meeting if the commission must discuss:

623 a. Noncompliance of a Compact state with its
624 obligations under the Compact;

625 b. The employment, compensation, discipline or
626 other personnel matters, practices or procedures related to
627 specific employees or other matters related to the commission's
628 internal personnel practices and procedures;

629 c. Current, threatened, or reasonably anticipated
630 litigation against the commission;

631 d. Negotiation of contracts for the purchase or
632 sale of goods, services or real estate;



633 e. Accusation against any person of a crime or
634 formally censuring any person;

635 f. Disclosure of trade secrets or commercial or
636 financial information which is privileged or confidential;

637 g. Disclosure of information of a personal nature
638 where disclosure would constitute a clearly unwarranted invasion
639 of personal privacy;

640 h. Disclosure of investigatory records compiled
641 for law enforcement purposes;

642 i. Disclosure of information related to any
643 investigatory reports prepared by or on behalf of or for use of
644 the commission or other committee charged with responsibility for
645 investigation or determination of compliance issues pursuant to
646 the Compact; or

647 j. Matters specifically exempted from disclosure
648 by federal and state statute.

649 7. If a meeting, or portion of a meeting, is closed
650 pursuant to this provision, the commission's legal counsel or
651 designee shall certify that the meeting may be closed and shall
652 reference each relevant exempting provision. The commission shall
653 keep minutes which fully and clearly describe all matters
654 discussed in a meeting and shall provide a full and accurate
655 summary of actions taken, of any person participating in the
656 meeting, and the reasons therefore, including a description of the
657 views expressed. All documents considered in connection with an



658 action shall be identified in such minutes. All minutes and
659 documents of a closed meeting shall remain under seal, subject to
660 release only by a majority vote of the commission or order of a
661 court of competent jurisdiction.

662 C. The commission shall, by a majority vote of the
663 commissioners, prescribe bylaws and/or rules to govern its conduct
664 as may be necessary or appropriate to carry out the purposes and
665 exercise the powers of the Compact, including, but not limited to:

666 1. Establishing the fiscal year of the commission;

667 2. Providing reasonable standards and procedures:

668 a. For the establishment and meetings of other
669 committees; and

670 b. Governing any general or specific delegation of
671 any authority or function of the commission;

672 3. Providing reasonable procedures for calling and
673 conducting meetings of the commission, ensuring reasonable advance
674 notice of all meetings and providing an opportunity for attendance
675 of such meetings by interested parties, with enumerated exceptions
676 designed to protect the public's interest, the privacy of
677 individuals of such proceedings, and proprietary information,
678 including trade secrets. The commission may meet in closed
679 session only after a majority of the commissioners vote to close a
680 meeting to the public, in whole or in part. As soon as
681 practicable, the commission must make public a copy of the vote to



682 close the meeting revealing the vote of each commissioner with no
683 proxy votes allowed;

684 4. Establishing the titles, duties and authority and
685 reasonable procedures for the election of the officers of the
686 commission;

687 5. Providing reasonable standards and procedures for
688 the establishment of the personnel policies and programs of the
689 commission. Notwithstanding any civil service or other similar
690 law of any Compact state, the bylaws shall exclusively govern the
691 personnel policies and programs of the commission;

692 6. Promulgating a Code of Ethics to address permissible
693 and prohibited activities of commission members and employees;

694 7. Providing a mechanism for concluding the operations
695 of the commission and the equitable disposition of any surplus
696 funds that may exist after the termination of the Compact after
697 the payment and/or reserving of all of its debts and obligations;

698 8. The commission shall publish its bylaws in a
699 convenient form and file a copy thereof and a copy of any
700 amendment thereto, with the appropriate agency or officer in each
701 of the Compact states;

702 9. The commission shall maintain its financial records
703 in accordance with the bylaws; and

704 10. The commission shall meet and take such actions as
705 are consistent with the provisions of this Compact and the bylaws.

706 D. The commission shall have the following powers:



707 1. The authority to promulgate uniform rules to
708 facilitate and coordinate implementation and administration of
709 this Compact. The rules shall have the force and effect of law
710 and shall be binding in all Compact states;

711 2. To bring and prosecute legal proceedings or actions
712 in the name of the commission, provided that the standing of any
713 state psychology regulatory authority or other regulatory body
714 responsible for psychology licensure to sue or be sued under
715 applicable law shall not be affected;

716 3. To purchase and maintain insurance and bonds;

717 4. To borrow, accept or contract for services of
718 personnel, including, but not limited to, employees of a Compact
719 state;

720 5. To hire employees, elect or appoint officers, fix
721 compensation, define duties, grant such individuals appropriate
722 authority to carry out the purposes of the Compact, and to
723 establish the commission's personnel policies and programs
724 relating to conflicts of interest, qualifications of personnel,
725 and other related personnel matters;

726 6. To accept any and all appropriate donations and
727 grants of money, equipment, supplies, materials and services, and
728 to receive, utilize and dispose of the same; provided that at all
729 times, the commission shall strive to avoid any appearance of
730 impropriety and/or conflict of interest;



731 7. To lease, purchase, accept appropriate gifts or
732 donations of, or otherwise to own, hold, improve or use any
733 property, real, personal or mixed; provided that at all times, the
734 commission shall strive to avoid any appearance of impropriety;

735 8. To sell, convey, mortgage, pledge, lease, exchange,
736 abandon or otherwise dispose of any property real, personal or
737 mixed;

738 9. To establish a budget and make expenditures;

739 10. To borrow money;

740 11. To appoint committees, including advisory
741 committees comprised of members, state regulators, state
742 legislators or their representatives, and consumer
743 representatives, and such other interested persons as may be
744 designated in this Compact and the bylaws;

745 12. To provide information to and receive information
746 from, and to cooperate with, law enforcement agencies;

747 13. To adopt and use an official seal; and

748 14. To perform such other functions as may be necessary
749 or appropriate to achieve the purposes of this Compact consistent
750 with the state regulation of psychology licensure, temporary
751 in-person, face-to-face practice and telepsychology practice.

752 E. The executive board.

753 The elected officers shall serve as the executive board,
754 which shall have the power to act on behalf of the commission
755 according to the terms of this Compact.



756 1. The executive board shall be comprised of six (6)
757 members:

758 a. Five (5) voting members who are elected from
759 the current membership of the commission by the commission;

760 b. One ex officio, nonvoting member from the
761 recognized membership organization composed of state and
762 provincial psychology regulatory authorities.

763 2. The ex officio member must have served as staff or a
764 member on a state psychology regulatory authority and will be
765 selected by its respective organization.

766 3. The commission may remove any member of the
767 executive board as provided in the bylaws.

768 4. The executive board shall meet at least annually.

769 5. The executive board shall have the following duties
770 and responsibilities:

771 a. Recommend to the entire commission changes to
772 the rules or bylaws, changes to this Compact legislation, fees
773 paid by Compact states such as annual dues, and any other
774 applicable fees;

775 b. Ensure Compact administration services are
776 appropriately provided, contractual or otherwise;

777 c. Prepare and recommend the budget;

778 d. Maintain financial records on behalf of the
779 commission;



780 e. Monitor Compact compliance of member states and
781 provide compliance reports to the commission;

782 f. Establish additional committees as necessary;
783 and

784 g. Other duties as provided in rules or bylaws.

785 F. Financing of the commission.

786 1. The commission shall pay or provide for the payment
787 of the reasonable expenses of its establishment, organization and
788 ongoing activities.

789 2. The commission may accept any and all appropriate
790 revenue sources, donations and grants of money, equipment,
791 supplies, materials and services.

792 3. The commission may levy and collect an annual
793 assessment from each Compact state or impose fees on other parties
794 to cover the cost of the operations and activities of the
795 commission and its staff, which must be in a total amount
796 sufficient to cover its annual budget as approved each year for
797 which revenue is not provided by other sources. The aggregate
798 annual assessment amount shall be allocated based upon a formula
799 to be determined by the commission which shall promulgate a rule
800 binding upon all Compact states.

801 4. The commission shall not incur obligations of any
802 kind before securing the funds adequate to meet the same; nor
803 shall the commission pledge the credit of any of the Compact
804 states, except by and with the authority of the Compact state.



805 5. The commission shall keep accurate accounts of all
806 receipts and disbursements. The receipts and disbursements of the
807 commission shall be subject to the audit and accounting procedures
808 established under its bylaws. However, all receipts and
809 disbursements of funds handled by the commission shall be audited
810 yearly by a certified or licensed public accountant, and the
811 report of the audit shall be included in and become part of the
812 annual report of the commission.

813 G. Qualified immunity, defense and indemnification.

814 1. The members, officers, executive director, employees
815 and representatives of the commission shall be immune from suit
816 and liability, either personally or in their official capacity,
817 for any claim for damage to or loss of property or personal injury
818 or other civil liability caused by or arising out of any actual or
819 alleged act, error or omission that occurred, or that the person
820 against whom the claim is made had a reasonable basis for
821 believing occurred within the scope of commission employment,
822 duties or responsibilities; provided that nothing in this
823 paragraph shall be construed to protect any such person from suit
824 and/or liability for any damage, loss, injury or liability caused
825 by the intentional or willful or wanton misconduct of that person.

826 2. The commission shall defend any member, officer,
827 executive director, employee or representative of the commission
828 in any civil action seeking to impose liability arising out of any
829 actual or alleged act, error or omission that occurred within the



830 scope of commission employment, duties or responsibilities, or
831 that the person against whom the claim is made had a reasonable
832 basis for believing the act occurred within the scope of
833 commission employment, duties or responsibilities; provided that
834 nothing herein shall be construed to prohibit that person from
835 retaining his or her own counsel; and provided further, that the
836 actual or alleged act, error or omission did not result from that
837 person's intentional or willful or wanton misconduct.

838 3. The commission shall indemnify and hold harmless any
839 member, officer, executive director, employee or representative of
840 the commission for the amount of any settlement or judgment
841 obtained against that person arising out of any actual or alleged
842 act, error or omission that occurred within the scope of
843 commission employment, duties or responsibilities, or that such
844 person had a reasonable basis for believing occurred within the
845 scope of commission employment, duties or responsibilities,
846 provided that the actual or alleged act, error or omission did not
847 result from the intentional or willful or wanton misconduct of
848 that person.

849 **ARTICLE XI.**

850 **RULEMAKING.**

851 A. The commission shall exercise its rulemaking powers
852 pursuant to the criteria set forth in this article and the rules
853 adopted under this Compact. Rules and amendments shall become
854 binding as of the date specified in each rule or amendment.



855 B. If a majority of the legislatures of the Compact states
856 rejects a rule by enactment of a statute or resolution in the same
857 manner used to adopt the Compact, then such rule shall have no
858 further force and effect in any Compact state.

859 C. Rules or amendments to the rules shall be adopted at a
860 regular or special meeting of the commission.

861 D. Before promulgation and adoption of a final rule or rules
862 by the commission, and at least sixty (60) days in advance of the
863 meeting at which the rule will be considered and voted upon, the
864 commission shall file a Notice of Proposed Rulemaking:

- 865 1. On the website of the commission; and
866 2. On the website of each Compact states' psychology
867 regulatory authority or the publication in which each state would
868 otherwise publish proposed rules.

869 E. The Notice of Proposed Rulemaking shall include:

- 870 1. The proposed time, date and location of the meeting
871 in which the rule will be considered and voted upon;
872 2. The text of the proposed rule or amendment and the
873 reason for the proposed rule;
874 3. A request for comments on the proposed rule from any
875 interested person; and
876 4. The manner in which interested persons may submit
877 notice to the commission of their intention to attend the public
878 hearing and any written comments.



879 F. Before adoption of a proposed rule, the commission shall
880 allow persons to submit written data, facts, opinions and
881 arguments, which shall be made available to the public.

882 G. The commission shall grant an opportunity for a public
883 hearing before it adopts a rule or amendment if a hearing is
884 requested by:

885 1. At least twenty-five (25) persons who submit
886 comments independently of each other;

887 2. A governmental subdivision or agency; or

888 3. A duly appointed person in an association that has
889 at least twenty-five (25) members.

890 H. If a hearing is held on the proposed rule or amendment,
891 the commission shall publish the place, time and date of the
892 scheduled public hearing.

893 1. All persons wishing to be heard at the hearing shall
894 notify the executive director of the commission or other
895 designated member in writing of their desire to appear and testify
896 at the hearing not less than five (5) business days before the
897 scheduled date of the hearing.

898 2. Hearings shall be conducted in a manner providing
899 each person who wishes to comment a fair and reasonable
900 opportunity to comment orally or in writing.

901 3. No transcript of the hearing is required, unless a
902 written request for a transcript is made, in which case the person
903 requesting the transcript shall bear the cost of producing the



904 transcript. A recording may be made in lieu of a transcript under
905 the same terms and conditions as a transcript. This subsection
906 shall not preclude the commission from making a transcript or
907 recording of the hearing if it so chooses.

908 4. Nothing in this article shall be construed as
909 requiring a separate hearing on each rule. Rules may be grouped
910 for the convenience of the commission at hearings required by this
911 article.

912 I. Following the scheduled hearing date, or by the close of
913 business on the scheduled hearing date if the hearing was not
914 held, the commission shall consider all written and oral comments
915 received.

916 J. The commission shall, by majority vote of all members,
917 take final action on the proposed rule and shall determine the
918 effective date of the rule, if any, based on the rulemaking record
919 and the full text of the rule.

920 K. If no written notice of intent to attend the public
921 hearing by interested parties is received, the commission may
922 proceed with promulgation of the proposed rule without a public
923 hearing.

924 L. Upon determination that an emergency exists, the
925 commission may consider and adopt an emergency rule without prior
926 notice, opportunity for comment, or hearing, provided that the
927 usual rulemaking procedures provided in the Compact and in this
928 article shall be retroactively applied to the rule as soon as



929 reasonably possible, in no event later than ninety (90) days after
930 the effective date of the rule. For the purposes of this
931 provision, an emergency rule is one that must be adopted
932 immediately in order to:

- 933 1. Meet an imminent threat to public health, safety or
934 welfare;
- 935 2. Prevent a loss of commission or Compact state funds;
- 936 3. Meet a deadline for the promulgation of an
937 administrative rule that is established by federal law or rule; or
938 4. Protect public health and safety.

939 M. The commission or an authorized committee of the
940 commission may direct revisions to a previously adopted rule or
941 amendment for purposes of correcting typographical errors, errors
942 in format, errors in consistency, or grammatical errors. Public
943 notice of any revisions shall be posted on the website of the
944 commission. The revision shall be subject to challenge by any
945 person for a period of thirty (30) days after posting. The
946 revision may be challenged only on grounds that the revision
947 results in a material change to a rule. A challenge shall be made
948 in writing, and delivered to the chair of the commission before
949 the end of the notice period. If no challenge is made, the
950 revision will take effect without further action. If the revision
951 is challenged, the revision may not take effect without the
952 approval of the commission.

953 **ARTICLE XII.**



954 **OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT.**

955 A. Oversight.

956 1. The executive, legislative and judicial branches of
957 state government in each Compact state shall enforce this Compact
958 and take all actions necessary and appropriate to effectuate the
959 Compact's purposes and intent. The provisions of this Compact and
960 the rules promulgated under this Compact shall have standing as
961 statutory law.

962 2. All courts shall take judicial notice of the Compact
963 and the rules in any judicial or administrative proceeding in a
964 Compact state pertaining to the subject matter of this Compact
965 which may affect the powers, responsibilities or actions of the
966 commission.

967 3. The commission shall be entitled to receive service
968 of process in any such proceeding and shall have standing to
969 intervene in such a proceeding for all purposes. Failure to
970 provide service of process to the commission shall render a
971 judgment or order void as to the commission, this Compact or
972 promulgated rules.

973 B. Default, technical assistance and termination.

974 1. If the commission determines that a Compact state
975 has defaulted in the performance of its obligations or
976 responsibilities under this Compact or the promulgated rules, the
977 commission shall:



978 a. Provide written notice to the defaulting state
979 and other Compact states of the nature of the default, the
980 proposed means of remedying the default and/or any other action to
981 be taken by the commission; and

982 b. Provide remedial training and specific
983 technical assistance regarding the default.

984 2. If a state in default fails to remedy the default,
985 the defaulting state may be terminated from the Compact upon an
986 affirmative vote of a majority of the Compact states, and all
987 rights, privileges and benefits conferred by this Compact shall be
988 terminated on the effective date of termination. A remedy of the
989 default does not relieve the offending state of obligations or
990 liabilities incurred during the period of default.

991 3. Termination of membership in the Compact shall be
992 imposed only after all other means of securing compliance have
993 been exhausted. Notice of intent to suspend or terminate shall be
994 submitted by the commission to the Governor, the majority and
995 minority leaders of the defaulting state's legislature, and each
996 of the Compact states.

997 4. A Compact state which has been terminated is
998 responsible for all assessments, obligations and liabilities
999 incurred through the effective date of termination, including
1000 obligations which extend beyond the effective date of termination.

1001 5. The commission shall not bear any costs incurred by
1002 the state which is found to be in default or which has been



1003 terminated from the Compact, unless agreed upon in writing between
1004 the commission and the defaulting state.

1005 6. The defaulting state may appeal the action of the
1006 commission by petitioning the United States District Court for the
1007 State of Georgia or the federal district where the Compact has its
1008 principal offices. The prevailing member shall be awarded all
1009 costs of such litigation, including reasonable attorney's fees.

1010 C. Dispute resolution.

1011 1. Upon request by a Compact state, the commission
1012 shall attempt to resolve disputes related to the Compact which
1013 arise among Compact states and between Compact and non-Compact
1014 states.

1015 2. The commission shall promulgate a rule providing for
1016 both mediation and binding dispute resolution for disputes that
1017 arise before the commission.

1018 D. Enforcement.

1019 1. The commission, in the reasonable exercise of its
1020 discretion, shall enforce the provisions and rules of this
1021 Compact.

1022 2. By majority vote, the commission may initiate legal
1023 action in the United States District Court for the State of
1024 Georgia or the federal district where the Compact has its
1025 principal offices against a Compact state in default to enforce
1026 compliance with the provisions of the Compact and its promulgated
1027 rules and bylaws. The relief sought may include both injunctive



1028 relief and damages. If judicial enforcement is necessary, the
1029 prevailing member shall be awarded all costs of such litigation,
1030 including reasonable attorney's fees.

1031 3. The remedies in this article shall not be the
1032 exclusive remedies of the commission. The commission may pursue
1033 any other remedies available under federal or state law.

1034 **ARTICLE XIII.**

1035 **DATE OF IMPLEMENTATION OF THE PSYCHOLOGY**
1036 **INTERJURISDICTIONAL COMPACT COMMISSION AND**
1037 **ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENTS.**

1038 A. The Compact shall come into effect on the date on which
1039 the Compact is enacted into law in the seventh Compact state. The
1040 provisions which become effective at that time shall be limited to
1041 the powers granted to the commission relating to assembly and the
1042 promulgation of rules. Thereafter, the commission shall meet and
1043 exercise rulemaking powers necessary to the implementation and
1044 administration of the Compact.

1045 B. Any state which joins the Compact after the commission's
1046 initial adoption of the rules shall be subject to the rules as
1047 they exist on the date on which the Compact becomes law in that
1048 state. Any rule which has been previously adopted by the
1049 commission shall have the full force and effect of law on the day
1050 the Compact becomes law in that state.

1051 C. Any Compact state may withdraw from this Compact by
1052 enacting a statute repealing the same.



1053 1. A Compact state's withdrawal shall not take effect
1054 until six (6) months after enactment of the repealing statute.

1055 2. Withdrawal shall not affect the continuing
1056 requirement of the withdrawing state's psychology regulatory
1057 authority to comply with the investigative and adverse action
1058 reporting requirements of this act before the effective date of
1059 withdrawal.

1060 D. Nothing contained in this Compact shall be construed to
1061 invalidate or prevent any psychology licensure agreement or other
1062 cooperative arrangement between a Compact state and a non-Compact
1063 state which does not conflict with the provisions of this Compact.

1064 E. This Compact may be amended by the Compact states. No
1065 amendment to this Compact shall become effective and binding upon
1066 any Compact state until it is enacted into the law of all Compact
1067 states.

1068 **ARTICLE XIV.**

1069 **CONSTRUCTION AND SEVERABILITY.**

1070 This Compact shall be liberally construed so as to effectuate
1071 the purposes thereof. If this Compact shall be held contrary to
1072 the constitution of any state member thereto, the Compact shall
1073 remain in full force and effect as to the remaining Compact
1074 states.

1075 **SECTION 2.** Section 73-31-7, Mississippi Code of 1972, is
1076 amended as follows:



1077 73-31-7. (1) The board shall annually elect officers from
1078 its membership. The board shall meet at any other times as it
1079 deems necessary or advisable, or as deemed necessary and advisable
1080 by the chairman or a majority of its members or the Governor.
1081 Reasonable notice of all meetings shall be given in the manner
1082 prescribed by the board. A majority of the board shall constitute
1083 a quorum at any meeting or hearing. Any meeting at which the
1084 chairman is not present shall be chaired by his designee.

1085 (2) The board is authorized and empowered to:

1086 (a) Adopt and, from time to time, revise any rules and
1087 regulations not inconsistent with, and as may be necessary to
1088 carry into effect the provisions of this chapter.

1089 (b) Within the funds available, employ and/or contract
1090 with a stenographer and other personnel, and contract for
1091 services, as are necessary for the proper performance of its work
1092 under this chapter.

1093 (c) Adopt a seal, and the executive secretary or board
1094 administrator shall have the care and custody thereof.

1095 (d) Examine, license, and renew the license of duly
1096 qualified applicants.

1097 (e) Conduct hearings upon complaints concerning the
1098 disciplining or licensing of applicants and psychologists.

1099 (f) Deny, approve, withhold, revoke, suspend and/or
1100 otherwise discipline applicants and licensed psychologists.



1101 (g) Issue an educational letter to a licensee in order
1102 to assist that individual in his or her practice as a
1103 psychologist. Such a letter will not be considered to be
1104 disciplinary action.

1105 (h) Cause the prosecution and enjoinder of all persons
1106 violating this chapter, and incur necessary expenses therefor.

1107 (i) Charge a fee of not more than Seven Hundred Dollars
1108 (\$700.00) to a qualified psychologist as determined by the board
1109 who is applying for certification by the board to conduct
1110 examinations in civil commitment proceedings.

1111 (j) Purchase general liability insurance coverage,
1112 including errors and omissions insurance, to cover the official
1113 actions of the board members and contract personnel and suits
1114 against them in their individual capacity. That coverage shall be
1115 in an amount determined by the board to be adequate, and the costs
1116 of the insurance shall be paid out of any funds available to the
1117 board.

1118 (k) As additional responsibilities, effective July 1,
1119 2018, the board shall administer and support the function of the
1120 Mississippi Autism Board under Sections 73-75-1 through 73-75-25,
1121 relating to the licensure of licensed behavior analysts and
1122 licensed assistant behavior analysts.

1123 (l) Grant to persons who are licensed in another state
1124 or jurisdiction the authority to practice interjurisdictional
1125 telepsychology or the temporary authorization to practice, and



1126 regulate the practice of those persons in Mississippi, in
1127 accordance with the Psychology Interjurisdictional Compact
1128 provided for in Section 1 of this act and this chapter.

1129 (3) Within thirty (30) days after the close of each fiscal
1130 year ending June 30, the board shall submit an official report,
1131 reviewed and signed by all board members, to the Governor
1132 concerning the work of the board during the preceding fiscal year.
1133 The report shall include the names of all psychologists to whom
1134 licenses have been granted; any cases heard and decisions rendered
1135 in relation to the work of the board; the names, remuneration and
1136 duties of any employees of the board; and an account of all monies
1137 received and expended by the board.

1138 **SECTION 3.** Section 73-31-13, Mississippi Code of 1972, is
1139 amended as follows:

1140 73-31-13. The board shall issue a license as a psychologist
1141 to each applicant who files an application upon a form and in the
1142 manner as the board prescribes, accompanied by the fee as is
1143 required by this chapter; and who furnishes evidence satisfactory
1144 to the board that he or she:

- 1145 (a) Is at least twenty-one (21) years of age; and
1146 (b) Is of good moral character. The applicant must
1147 have successfully been cleared for licensure through an
1148 investigation that consists of a determination as to good moral
1149 character and verification that the prospective licensee is not
1150 guilty of or in violation of any statutory ground for denial of



1151 licensure. For the purposes of this chapter, good moral character
1152 includes an absence of felony convictions or misdemeanor
1153 convictions involving moral turpitude as established by a criminal
1154 background check. Applicants shall undergo a fingerprint-based
1155 criminal history records check of the Mississippi central criminal
1156 database and the Federal Bureau of Investigation criminal history
1157 database. Each applicant shall submit a full set of the
1158 applicant's fingerprints in a form and manner prescribed by the
1159 board, which shall be forwarded to the Mississippi Department of
1160 Public Safety (department) and the Federal Bureau of Investigation
1161 Identification Division for this purpose; and

1162 (c) Is not in violation of any of the provisions of
1163 this chapter and the rules and regulations adopted under this
1164 chapter, and is not currently under investigation by another
1165 licensure board; and

1166 (d) Holds a doctoral degree in psychology from an
1167 institution of higher education that is: regionally accredited by
1168 an accrediting body recognized by the United States Department of
1169 Education, or authorized by Provincial statute or Royal Charter to
1170 grant doctoral degrees. From a program accredited by the American
1171 Psychological Association, or the Canadian Psychological
1172 Association, and from a program that requires at least one (1)
1173 year of continuous, full-time residence at the educational
1174 institution granting the doctoral degree. For graduates from
1175 newly established programs seeking accreditation or in areas where



1176 no accreditation exists, applicants for licensure shall have
1177 completed a doctoral program in psychology that meets recognized
1178 acceptable professional standards as determined by the board. For
1179 applicants graduating from doctoral level psychology training
1180 programs outside of the United States of America or Canada,
1181 applicants for licensure shall have completed a doctoral program
1182 in psychology that meets recognized acceptable professional
1183 standards as determined by the board; and

1184 (e) Has completed a supervised internship from a
1185 program accredited by the American Psychological Association or
1186 the Canadian Psychological Association that meet the standards of
1187 training as defined by the board. The internship shall be
1188 comprised of at least one thousand eight hundred (1,800) hours of
1189 actual work, to include direct service, training and supervisory
1190 time; and

1191 (f) Demonstrates professional knowledge by passing
1192 written (as used in this paragraph, the term "written" means
1193 either paper and pencil or computer-administered or computerized
1194 testing) and oral examinations in psychology prescribed by the
1195 board; except that upon examination of credentials, the board may,
1196 by unanimous consent, consider these credentials adequate evidence
1197 of professional knowledge.

1198 Upon investigation of the application and other evidence
1199 submitted, the board shall, not less than thirty (30) days before
1200 the examination, notify each applicant that the application and



1201 evidence submitted is satisfactory and accepted or unsatisfactory
1202 and rejected; if rejected, the notice shall state the reasons for
1203 the rejection.

1204 The place of examination shall be designated in advance by
1205 the board, and the examination shall be given at such time and
1206 place and under such supervision as the board may determine. The
1207 examination used by the board shall consist of written tests and
1208 oral tests, and shall fairly test the applicant's knowledge and
1209 application thereof in those areas deemed relevant by the
1210 board. All examinations serve the purpose of verifying that a
1211 candidate for licensure has acquired a basic core of knowledge in
1212 the discipline of psychology and can apply that knowledge to the
1213 problems confronted in the practice of psychology within the
1214 applicant's area of practice.

1215 The board shall evaluate the results from both the written
1216 and oral examinations. The passing scores for the written and
1217 oral examinations shall be established by the board in its rules
1218 and regulations. If an applicant fails to receive a passing score
1219 on the entire examination, he or she may reapply and shall be
1220 allowed to take a later examination. An applicant who has failed
1221 two (2) successive examinations by the board may not reapply until
1222 after two (2) years from the date of the last examination failed.
1223 The board shall keep the written examination scores, and an
1224 accurate transcript of the questions and answers relating to the
1225 oral examinations, and the grade assigned to each answer thereof,



1226 as part of its records for at least two (2) years after the date
1227 of examination.

1228 Persons licensed in another state or jurisdiction applying
1229 for the authority to practice interjurisdictional telepsychology
1230 must meet the requirements set out in the Psychology
1231 Interjurisdictional Compact provided for in Section 1 of this act.

1232 Each application or filing made under this section shall
1233 include the social security number(s) of the applicant in
1234 accordance with Section 93-11-64.

1235 **SECTION 4.** Section 73-31-14, Mississippi Code of 1972, is
1236 amended as follows:

1237 73-31-14. (1) Psychologists who are duly licensed in other
1238 jurisdictions and not currently under investigation by another
1239 licensure board may, upon application for licensure, apply for a
1240 temporary license, which shall be valid until the next
1241 administration of the oral examination. The temporary license
1242 shall be issued upon the applicant's passage of the Examination
1243 for Professional Practice of Psychology (EPPP) at the level
1244 established by the board in its rules and regulations and
1245 equivalent to that required for permanent licensure. Each
1246 applicant for a temporary license shall file an application upon a
1247 form and in the manner as the board prescribes, accompanied by a
1248 fee equal to the amount required for permanent licensure. A
1249 temporary license will lapse for any person who has failed the
1250 oral examination or has had his or her license suspended or



1251 revoked by the board. Procedures for the issuance of temporary
1252 licenses shall be established by the board in its rules and
1253 regulations. The issuance of a temporary license to a
1254 military-trained applicant, military spouse or person who
1255 establishes residence in this state shall be subject to the
1256 provisions of Section 73-50-1 or 73-50-2, as applicable.

1257 (2) Psychologists who are duly licensed in other
1258 jurisdictions may apply for a temporary practice certificate that
1259 allows them to practice psychology on a temporary basis in the
1260 State of Mississippi. That practice must be limited in scope and
1261 duration, not exceeding thirty (30) days during a consecutive
1262 twelve-month period. Applicants for a temporary practice
1263 certificate shall provide to the board the nature of the practice
1264 before providing that service, and shall make available to the
1265 board a current copy of his or her license or verification of a
1266 valid license in good standing. Psychologists who receive
1267 temporary practice certificates are subject to a jurisprudence
1268 examination at the request of the board. This authority for a
1269 temporary practice certificate does not apply to a psychologist
1270 who has been denied licensure in Mississippi, is a legal resident
1271 of Mississippi, or intends to practice full-time or a major
1272 portion of their time in Mississippi. Each applicant for a
1273 temporary practice certificate shall file an application upon a
1274 form and in the manner as the board prescribes, accompanied by a



1275 fee in an amount determined by the board, but not to exceed Three
1276 Hundred Dollars (\$300.00).

1277 (3) Applicants awaiting licensure in Mississippi are
1278 prohibited from the practice of psychology without a temporary
1279 license issued by the board. For the purposes of this subsection,
1280 the practice of psychology shall be construed without regard to
1281 the means of service provision (e.g., face-to-face, telephone,
1282 internet, telehealth).

1283 (4) Persons licensed in another state or jurisdiction
1284 applying for the temporary authorization to practice must meet the
1285 requirements set out in the Psychology Interjurisdictional Compact
1286 provided for in Section 1 of this act.

1287 **SECTION 5.** Section 73-31-15, Mississippi Code of 1972, is
1288 amended as follows:

1289 73-31-15. (1) Upon application accompanied by the proper
1290 fee, the board may issue a license to any psychologist who
1291 furnishes, upon a form and in the manner as the board prescribes,
1292 evidence satisfactory to the board that he or she is a diplomate
1293 in good standing of the American Board of Examiners in
1294 Professional Psychology; or possesses a valid Certificate of
1295 Professional Qualification (CPQ) granted by the Association of
1296 State and Provincial Psychology Boards; or has at least twenty
1297 (20) years of licensure to practice in another state, territorial
1298 possession of the United States, District of Columbia, or



1299 Commonwealth of Puerto Rico or Canadian Province when that license
1300 was based on a doctoral degree; and

1301 (a) Has had no disciplinary sanction during the entire
1302 period of licensure; and

1303 (b) Is not currently under investigation by another
1304 licensure board; and

1305 (c) Has demonstrated current qualification by
1306 successfully passing the oral examination and jurisprudence
1307 examination.

1308 (2) The issuance of a license by reciprocity to a
1309 military-trained applicant, military spouse or person who
1310 establishes residence in this state shall be subject to the
1311 provisions of Section 73-50-1 or 73-50-2, as applicable.

1312 (3) The board may grant the authority to practice
1313 interjurisdictional telepsychology to persons licensed in another
1314 state or jurisdiction who meet the requirements set out in the
1315 Psychology Interjurisdictional Compact provided for in Section 1
1316 of this act.

1317 **SECTION 6.** Section 73-31-21, Mississippi Code of 1972, is
1318 amended as follows:

1319 73-31-21. (1) The board, by an affirmative vote of at least
1320 four (4) of its seven (7) members, shall withhold, deny, revoke or
1321 suspend any license issued or applied for in accordance with the
1322 provisions of this chapter, or otherwise discipline a licensed



1323 psychologist, upon proof that the applicant or licensed
1324 psychologist:

1325 (a) Has violated the current code of ethics of the
1326 American Psychological Association or other codes of ethical
1327 standards adopted by the board; or

1328 (b) Has been convicted of a felony or any offense
1329 involving moral turpitude, the record of conviction being
1330 conclusive evidence thereof; or

1331 (c) Is using any substance or any alcoholic beverage to
1332 an extent or in a manner dangerous to any other person or the
1333 public, or to an extent that the use impairs his or her ability to
1334 perform the work of a professional psychologist with safety to the
1335 public; or

1336 (d) Has impersonated another person holding a
1337 psychologist license or allowed another person to use his or her
1338 license; or

1339 (e) Has used fraud or deception in applying for a
1340 license or in taking an examination provided for in this chapter;
1341 or

1342 (f) Has accepted commissions or rebates or other forms
1343 of remuneration for referring clients to other professional
1344 persons; or

1345 (g) Has performed psychological services outside of the
1346 area of his or her training, experience or competence; or



1347 (h) Has allowed his or her name or license issued under
1348 this chapter to be used in connection with any person or persons
1349 who perform psychological services outside of the area of their
1350 training, experience or competence; or

1351 (i) Is legally adjudicated mentally incompetent, the
1352 record of that adjudication being conclusive evidence thereof; or

1353 (j) Has willfully or negligently violated any of the
1354 provisions of this chapter. The board may recover from any person
1355 disciplined under this chapter, the costs of investigation,
1356 prosecution, and adjudication of the disciplinary action.

1357 (2) Notice shall be effected by registered mail or personal
1358 service setting forth the particular reasons for the proposed
1359 action and fixing a date not less than thirty (30) days nor more
1360 than sixty (60) days from the date of the mailing or that service,
1361 at which time the applicant or licensee shall be given an
1362 opportunity for a prompt and fair hearing. For the purpose of the
1363 hearing, the board, acting by and through its executive secretary,
1364 may subpoena persons and papers on its own behalf and on behalf of
1365 the applicant or licensee, may administer oaths and may take
1366 testimony. That testimony, when properly transcribed, together
1367 with the papers and exhibits, shall be admissible in evidence for
1368 or against the applicant or licensee. At the hearing, the
1369 applicant or licensee may appear by counsel and personally in his
1370 or her own behalf. Any person sworn and examined by a witness in
1371 the hearing shall not be held to answer criminally, nor shall any



1372 papers or documents produced by the witness be competent evidence
1373 in any criminal proceedings against the witness other than for
1374 perjury in delivering his or her evidence. On the basis of any
1375 such hearing, or upon default of applicant or licensee, the board
1376 shall make a determination specifying its findings of fact and
1377 conclusions of law. A copy of that determination shall be sent by
1378 registered mail or served personally upon the applicant or
1379 licensee. The decision of the board denying, revoking or
1380 suspending the license shall become final thirty (30) days after
1381 so mailed or served, unless within that period the applicant or
1382 licensee appeals the decision to the chancery court, under the
1383 provisions hereof, and the proceedings in chancery shall be
1384 conducted as other matters coming before the court. All
1385 proceedings and evidence, together with exhibits, presented at the
1386 hearing before the board shall be admissible in evidence in court
1387 in the appeal.

1388 (3) The board may subpoena persons and papers on its own
1389 behalf and on behalf of the respondent, may administer oaths and
1390 may compel the testimony of witnesses. It may issue commissions
1391 to take testimony, and testimony so taken and sworn to shall be
1392 admissible in evidence for and against the respondent. The board
1393 shall be entitled to the assistance of the chancery court or the
1394 chancellor in vacation, which, on petition by the board, shall
1395 issue ancillary subpoenas and petitions and may punish as for
1396 contempt of court in the event of noncompliance therewith.



1397 (4) Every order and judgment of the board shall take effect
1398 immediately on its promulgation unless the board in the order or
1399 judgment fixes a probationary period for the applicant or
1400 licensee. The order and judgment shall continue in effect unless
1401 upon appeal the court by proper order or decree terminates it
1402 earlier. The board may make public its order and judgments in
1403 any manner and form as it deems proper. It shall, in event of the
1404 suspension or revocation of a license, direct the clerk of the
1405 circuit court of the county in which that license was recorded to
1406 cancel that record.

1407 (5) Nothing in this section shall be construed as limiting
1408 or revoking the authority of any court or of any licensing or
1409 registering officer or board, other than the Mississippi Board of
1410 Psychology, to suspend, revoke and reinstate licenses and to
1411 cancel registrations under the provisions of Section 41-29-311.

1412 (6) Suspension by the board of the license of a psychologist
1413 shall be for a period not exceeding one (1) year. At the end of
1414 this period the board shall reevaluate the suspension, and shall
1415 either reinstate or revoke the license. A person whose license
1416 has been revoked under the provisions of this section may reapply
1417 for a license after more than two (2) years have elapsed from the
1418 date that the denial or revocation is legally effective.

1419 (7) In addition to the reasons specified in subsection (1)
1420 of this section, the board shall be authorized to suspend the
1421 license of any licensee for being out of compliance with an order



1422 for support, as defined in Section 93-11-153. The procedure for
1423 suspension of a license for being out of compliance with an order
1424 for support, and the procedure for the reissuance or reinstatement
1425 of a license suspended for that purpose, and the payment of any
1426 fees for the reissuance or reinstatement of a license suspended
1427 for that purpose, shall be governed by Section 93-11-157. Actions
1428 taken by the board in suspending a license when required by
1429 Section 93-11-157 or 93-11-163 are not actions from which an
1430 appeal may be taken under this section. Any appeal of a license
1431 suspension that is required by Section 93-11-157 or 93-11-163
1432 shall be taken in accordance with the appeal procedure specified
1433 in Section 93-11-157 or 93-11-163, as the case may be, rather than
1434 the procedure specified in this section. If there is any conflict
1435 between any provision of Section 93-11-157 or 93-11-163 and any
1436 provision of this chapter, the provisions of Section 93-11-157 or
1437 93-11-163, as the case may be, shall control.

1438 (8) The board may issue a nondisciplinary, educational
1439 letter to licensees as provided in Section 73-31-7(2)(g). The
1440 board may also direct a psychologist to obtain a formal assessment
1441 of ability to practice safely if there is reason to believe there
1442 may be impairment due to substance abuse or mental incapacity.
1443 Licensees who may be impaired, but who are able to practice
1444 safely, may be required by the board to seek appropriate treatment
1445 and/or supervision. That action by the board in itself will not
1446 be considered disciplinary.



1447 (9) The board may discipline any person who has been granted
1448 the authority to practice interjurisdictional telepsychology or
1449 the temporary authorization to practice under the Psychology
1450 Interjurisdictional Compact provided for under Section 1 of this
1451 act for any of the grounds specified in subsection (1) of this
1452 section in the same manner as the board disciplines a licensed
1453 psychologist under this section.

1454 **SECTION 7.** Section 73-31-23, Mississippi Code of 1972, is
1455 amended as follows:

1456 73-31-23. (1) It shall be a misdemeanor:

1457 (a) For any person not licensed under this chapter to
1458 represent himself or herself as a psychologist or practice
1459 psychology in the manner described in Section 73-31-3, except as
1460 otherwise authorized under the Psychology Interjurisdictional
1461 Compact provided for under Section 1 of this act; or

1462 (b) For any person to represent himself or herself as a
1463 psychologist or practice psychology in the manner described in
1464 Section 73-31-3 during the time that his or her license as a
1465 psychologist is suspended or revoked or lapsed; or

1466 (c) For any person to otherwise violate the provisions
1467 of this chapter.

1468 That misdemeanor shall be punishable, upon conviction, by
1469 imprisonment for not more than sixty (60) days or by a fine of not
1470 more than Three Hundred Dollars (\$300.00), or by both that fine
1471 and imprisonment. Each violation shall be deemed a separate



1472 offense. The misdemeanor shall be prosecuted by the district
1473 attorney of the judicial district in which the offense was
1474 committed in the name of the people of the State of Mississippi.

1475 (2) Any entity, organization or person, including the board,
1476 any member of the board, and its agents or employees, acting in
1477 good faith and without malice, who makes any report or information
1478 available to the board regarding violation of any of the
1479 provisions of this chapter, or who assists in the organization,
1480 investigation or preparation of any such report or information or
1481 assists the board in carrying out any of its duties or functions
1482 provided by law, shall be immune from civil or criminal liability
1483 for those acts.

1484 The immunity granted under the provisions of this subsection
1485 shall not apply to and shall not be available to any psychologist
1486 who is the subject of any report or information relating to a
1487 violation by the psychologist of the provisions of this
1488 chapter.

1489 **SECTION 8.** Section 73-31-9, Mississippi Code of 1972, is
1490 brought forward as follows:

1491 73-31-9. (1) All fees from applicants seeking licensing
1492 under this chapter and all license renewal fees received under
1493 this chapter shall be nonrefundable. The board may charge a late
1494 fee for nonrenewal by June 30 of each year.

1495 (2) The board shall charge an application fee to be
1496 determined by the board, but not to exceed Seven Hundred Dollars



1497 (\$700.00), to applicants for licensing, and shall charge the
1498 applicant for the expenses incurred by the board for examination
1499 of the applicant. The board may increase the application fee as
1500 necessary, but may not increase the fee by more than Fifty Dollars
1501 (\$50.00) above the amount of the previous year's fee.

1502 (3) Except as provided in Section 33-1-39, every licensed
1503 psychologist in this state shall annually pay to the board a fee
1504 determined by the board, but not to exceed Seven Hundred Dollars
1505 (\$700.00); and the credentialing coordinator shall thereupon issue
1506 a renewal of the license for a term of one (1) year. The board
1507 may increase the license renewal fee as necessary, but may not
1508 increase the fee by more than Fifty Dollars (\$50.00) above the
1509 amount of the previous year's fee. The license of any
1510 psychologist who fails to renew during the month of June in each
1511 and every year shall lapse; the failure to renew the license,
1512 however, shall not deprive the psychologist of the right of
1513 renewal thereafter. The lapsed license may be renewed within a
1514 period of two (2) years after the lapse upon payment of all fees
1515 in arrears. A psychologist wishing to renew a license that has
1516 been lapsed for more than two (2) years shall be required to
1517 reapply for licensure.

1518 (4) Every odd-numbered year, no psychologist license shall
1519 be renewed unless the psychologist shows evidence of a minimum of
1520 twenty (20) clock hours of continuing education activities
1521 approved by the board.



1522 (5) All fees and any other monies received by the board
1523 shall be deposited in a special fund that is created in the State
1524 Treasury and shall be used for the implementation and
1525 administration of this chapter when appropriated by the
1526 Legislature for that purpose. The monies in the special fund
1527 shall be subject to all provisions of the state budget laws that
1528 are applicable to special fund agencies, and disbursements from
1529 the special fund shall be made by the State Treasurer only upon
1530 warrants issued by the State Fiscal Officer upon requisitions
1531 signed by the chairman or executive secretary of the board. Any
1532 interest earned on this special fund shall be credited by the
1533 State Treasurer to the fund and shall not be paid into the State
1534 General Fund. Any unexpended monies remaining in the special fund
1535 at the end of a fiscal year shall not lapse into the State General
1536 Fund. The State Auditor shall audit the financial affairs of the
1537 board and the transactions involving the special fund at least
1538 once a year in the same manner as for other special fund agencies.

1539 **SECTION 9.** Section 73-31-25, Mississippi Code of 1972, is
1540 brought forward as follows:

1541 73-31-25. The board may, in the name of the people of the
1542 State of Mississippi, through the Attorney General, except as
1543 otherwise authorized in Section 7-5-39, apply for an injunction in
1544 any court of competent jurisdiction to enjoin any person from
1545 committing any act declared to be a misdemeanor by this chapter.



1546 If it is established that the defendant has been or is
1547 committing an act declared to be a misdemeanor by this chapter,
1548 the court, or any judge thereof, shall enter a decree perpetually
1549 enjoining the defendant from further committing that act. In case
1550 of violation of any injunction issued under the provisions of this
1551 section, the court, or any judge thereof, may summarily try and
1552 punish the offender for contempt of court. Those injunctive
1553 proceedings shall be in addition to, and not in lieu of, all
1554 penalties and other remedies provided for in this chapter.

1555 **SECTION 10.** Section 73-31-27, Mississippi Code of 1972, is
1556 brought forward as follows:

1557 73-31-27. (1) Nothing in this chapter shall be construed to
1558 limit:

1559 (a) The activities and services of a student, intern or
1560 trainee in psychology pursuing a course of study in psychology at
1561 an institution of higher education, if these activities and
1562 services constitute a part of his or her supervised course of
1563 study; or

1564 (b) The services and activities of members of other
1565 professional groups licensed or certified by the State of
1566 Mississippi who perform work of a psychological nature consistent
1567 with their training, work experience history, and with any code of
1568 ethics of their respective professions, provided they do not hold
1569 themselves out to be psychologists. Portions of the practice of
1570 psychology as defined by this chapter overlap with the activities



1571 of other professional groups and it is not the intent of this
1572 chapter to regulate the activities of those professional groups.

1573 (2) Individuals certified by the Mississippi State
1574 Department of Education may use appropriate titles such as "school
1575 psychologist," "certified school psychologist," "educational
1576 psychologist" or "psychometrist" only when they are employed by or
1577 under contract with a school district and practicing in school or
1578 educational settings.

1579 (3) A lecturer employed by an institution of higher learning
1580 may use an appropriate academic or research title, provided he or
1581 she does not represent himself or herself as a psychologist or
1582 practice psychology in the manner described in Section 73-31-3.

1583 **SECTION 11.** This act shall take effect and be in force from
1584 and after July 1, 2024.

