
By: **Delegate Kach**

Introduced and read first time: March 2, 2004

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Psychologists - Practice Psychology - Microstimulation**

3 FOR the purpose of altering the definition of practicing psychology to include the use
4 of certain microstimulation techniques and equipment to manage the pain of an
5 individual; and generally relating to the use of microstimulation in the practice
6 of psychology by psychologists.

7 BY repealing and reenacting, with amendments,
8 Article - Health Occupations
9 Section 18-101
10 Annotated Code of Maryland
11 (2000 Replacement Volume and 2003 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Health Occupations**

15 18-101.

16 (a) In this title the following words have the meanings indicated.

17 (b) "Board" means the State Board of Examiners of Psychologists.

18 (c) "License" means, unless the context requires otherwise, a license issued by
19 the Board to practice psychology.

20 (d) "Licensed psychologist" means, unless the context requires otherwise, a
21 psychologist who is licensed by the Board to practice psychology.

22 (e) (1) "Practice psychology" means to provide to any person:

23 (i) Any service for compensation involving the application of
24 psychological principles, psychological methods, or psychological procedures for
25 understanding, predicting, or influencing behavior, including the principles that

1 relate to learning, perception, motivation, emotions, organizational relationships, and
2 interpersonal relationships;

3 (ii) Any service for compensation involving the application of
4 psychological methods or psychological procedures for interviewing, counseling,
5 psychotherapy, behavior modification, or hypnosis; or

6 (iii) Any service for compensation involving the application of
7 psychological methods or psychological procedures for constructing, administering, or
8 interpreting tests of mental abilities, neuropsychological functioning, aptitudes,
9 interests, attitudes, personality characteristics, emotions, or motivations.

10 (2) "Practice psychology" includes:

11 (i) The application of psychological principles and psychological
12 methods in the diagnosis, prevention, treatment, and amelioration of psychological
13 problems, emotional conditions, or mental conditions of individuals or groups;

14 (ii) The use of psychological methods to assist an individual in
15 acquiring greater human effectiveness or to modify feelings, conditions, attitudes, or
16 behavior that is emotionally, intellectually, or socially ineffectual or maladjusted;
17 [and]

18 (iii) The use of biofeedback instruments that do not pierce or cut the
19 skin to measure physical and mental functioning; AND

20 (IV) THE USE OF MICROSTIMULATION TECHNIQUES AND
21 INSTRUMENTS THAT DO NOT PIERCE OR CUT THE SKIN TO MANAGE PAIN.

22 (3) In this subsection, "psychological methods", "psychological
23 principles", and "psychological procedures" include the body of information that can
24 be derived from a graduate program in psychology, and other education or training
25 recognized by the Board as prerequisites for a license under this title, and that does
26 not amount to the practice of medicine.

27 (f) "Psychologist" means an individual who practices psychology.

28 (g) (1) "Doctoral degree in psychology" means:

29 (i) A degree received from a program that at the time the degree
30 was awarded:

31 1. Is accredited by the American Psychological Association;

32 or

33 2. Is listed in the designated doctoral programs in psychology

34 published by:

35 A. The Association of State and Provincial Psychology

36 Boards; and

1 B. The Council for the National Register of Health Service
2 Providers in Psychology; or

3 (ii) A doctoral degree in psychology that meets the criteria for a
4 doctoral degree in psychology published in 1977 by the Council.

5 (2) (i) A determination by the Council under paragraph (1)(ii) of this
6 subsection that a doctoral degree in psychology meets its criteria shall be considered
7 by the Board as prima facie evidence that the degree meets those criteria.

8 (ii) In determining whether the degree in psychology meets the
9 criteria described in paragraph (1)(ii) of this subsection and subparagraph (i) of this
10 paragraph, the Board may consider the completion of postdoctoral course work in
11 psychology, not to exceed 9 semester hours.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2004.