

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

Senate Bill 1041

(Senator Lenett)

Education, Health, and Environmental Affairs

Health and Government Operations

State Board of Examiners of Psychologists - Criminal History Records Check

This bill requires an applicant for licensure as a psychologist to submit to a State and national criminal history records check from the Central Repository of the Criminal Justice Information System (CJIS). Under specified conditions, the State Board of Examiners of Psychologists may accept certain alternative methods of a criminal history records check. The subject of a records check may contest the contents of the printed statement issued by the Central Repository. The board may not issue a license if the criminal history records information for an applicant has not been received. In addition, the board must consider certain facts related to an applicant's criminal history records information prior to granting a license or certificate. The board is authorized to deny a license to any applicant who fails to submit to a criminal history records check.

Fiscal Summary

State Effect: The cost for a criminal history records check (\$57.25) is borne by the applicant; the bill does not materially affect State finances or operations.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary: An applicant must submit two complete and legible sets of fingerprints to the Central Repository on approved forms, as well as specified fees, as part of an application for a State and federal criminal history records check. Information obtained by the Central Repository is confidential, may not be disseminated, and may only be used

for the licensing purposes of the board. The Central Repository is required to forward the applicant's criminal history record check to the State Board of Examiners of Psychologists and the applicant.

Upon receipt of an applicant's criminal history records information, in determining whether to grant a license or certificate, the board must consider the age of the applicant when the crime was committed; the circumstances surrounding the crime; the length of time that has passed since the crime; the applicant's subsequent work history, employment and other character references; and other evidence that demonstrates whether the applicant poses a threat to the public health or safety.

The bill applies to new applicants only; psychologists who renew their licenses are not required to submit to a criminal history records check.

Current Law/Background: To qualify for licensure to practice psychology, an applicant must:

- be of good moral character;
- be at least 18 years old;
- have a doctoral degree in psychology;
- pass a board exam; and
- have at least two years of board-approved professional supervised experience in psychology, at least one year of which has occurred after the award of a doctoral degree.

An applicant must reside or practice, or intend to reside and practice in the State. However, the board may issue a license to an applicant who is not a resident of the State or practicing in the State if the applicant shows that issuing the license would be in the interest of the citizens and the government of Maryland.

To apply for licensure an applicant must submit a verified application to the board on the form that the board requires and pay the necessary application fees.

There are 2,633 active psychologists in Maryland. Annually, the board receives approximately 135 new applications for licensure to practice psychology.

Additional Information

Prior Introductions: None.

Cross File: HB 1064 (Delegate Hubbard) - Health and Government Operations.

Information Source(s): Department of Health and Mental Hygiene, Department of Public Safety and Correctional Services, Department of Legislative Services

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