

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 274
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Licensure” and substitute “Registration”; strike beginning with “altering” in line 4 down through the semicolon in line 10; in lines 11, 13, 20, and 24, in each instance, strike “licensed” and substitute “registered”; in lines 16, 17, 18, and 27, in each instance, strike “licensure” and substitute “registration”; in line 19, after the semicolon insert “requiring an applicant for a registration to practice psychology to meet certain requirements; providing that an applicant who otherwise qualifies for a registration is entitled to be examined in a certain manner; providing that a registration authorizes a registrant to practice psychology while the registration is effective;”; in line 25, after “regulations;” insert “authorizing the Board to impose a certain monetary penalty instead of suspending a registration or in addition to suspending or revoking a registration; authorizing the Board to direct a registrant to submit to a certain examination; providing that the failure or refusal of a registrant to submit to a required examination is prima facie evidence of a registrant’s inability to practice psychology competently, with a certain exception; prohibiting a decision of the Board in relation to a registration from being stayed pending judicial review; authorizing the Board to reinstate a registration that has been revoked; altering the prohibition on practicing, attempting to practice, or offering to practice psychology in the State to include a person who is not registered by the Board;”; and in line 26, strike “a certain term” and substitute “certain terms”.

On page 2, in line 1, after “18-302,” insert “18-303, 18-304(a),”; in the same line, strike “and” and substitute “18-307(a),”; and in line 2, after “18-313” insert “, 18-313.1(a), 18-314(a), (b), and (c), 18-316(c), 18-317, and 18-401(a)”.

AMENDMENT NO. 2

(Over)

On page 3, in lines 9 and 10, strike “**OR PSYCHOLOGY ASSOCIATE**”; strike in their entirety lines 14 through 16, inclusive; in line 17, strike the brackets; and in the same line, strike “**(G)**”.

On page 4, after line 11, insert:

“(G) “REGISTERED PSYCHOLOGY ASSOCIATE” MEANS AN INDIVIDUAL WHO MEETS THE REQUIREMENTS IN § 18-302(G) OF THIS TITLE AND IS REGISTERED BY THE BOARD TO PRACTICE PSYCHOLOGY.

“(H) “REGISTRATION” MEANS, UNLESS THE CONTEXT REQUIRES OTHERWISE, A REGISTRATION ISSUED BY THE BOARD TO PRACTICE PSYCHOLOGY AS A PSYCHOLOGY ASSOCIATE.”

AMENDMENT NO. 3

On page 4, in lines 13 and 14, in each instance, strike the brackets; in the same lines, in each instance, strike “**10**”; in line 15, strike the brackets; strike beginning with the semicolon in line 20 down through “**ASSOCIATE**” in line 21; in lines 22 and 23, strike “**AND PSYCHOLOGY ASSOCIATE**”; in line 26, strike “**OR PSYCHOLOGY ASSOCIATE**”; and in lines 28 and 29, strike “**OR LICENSED PSYCHOLOGY ASSOCIATES**”.

On page 5, in line 2, strike “**OR LICENSED PSYCHOLOGY ASSOCIATE**”; in line 3, strike “**OR LICENSED PSYCHOLOGY ASSOCIATES**”; strike in their entirety lines 12 through 16, inclusive; in line 17, strike the brackets; and in the same line, strike “**(D)**”.

On page 6, in lines 1, 3, 5, and 15, in each instance, strike the brackets; and in the same lines, strike “**(E)**”, “**(F)**”, “**(G)**”, and “**(H)**”, respectively.

AMENDMENT NO. 4

On page 6, in lines 26, 27, and 28, in each instance, after “LICENSEE” insert “OR REGISTRANT”.

On page 7, in line 2, after “licensee” insert “OR REGISTRANT”; in line 7, after “LICENSEE” insert “OR REGISTRANT”; in line 14, after “licensed” insert “OR REGISTERED”; and in lines 16, 18, 23, 24, and 25, in each instance, strike “LICENSED” and substitute “REGISTERED”.

On page 9, in lines 14, 27, and 29, in each instance, after “license” insert “OR REGISTRATION”.

On page 10, in line 9, strike “LICENSED” and substitute “REGISTERED”.

On page 11, in line 8, strike “LICENSE” and substitute “REGISTRATION”; after line 11 insert:

“18-303.

To apply for a license OR REGISTRATION to practice psychology, an applicant shall:

(1) Submit a verified application to the Board on the form that the Board requires;

(2) Pay to the Board the application fee set by the Board; and

(3) Submit to a criminal history records check in accordance with § 18-302.1 of this subtitle.

18-304.

(a) An applicant who otherwise qualifies for a license OR REGISTRATION is entitled to be examined as provided in this section.”;

in lines 13 and 15, in each instance, after “license” insert “OR REGISTRATION”; in line 16, after “LICENSEE” insert “OR REGISTRANT”; in line 23, after “licensure” insert “OR REGISTRATION”; and in line 24, strike “certificate” and substitute “REGISTRATION”.

On page 12, in lines 4, 16, 17, 19, 22, 24, and 26, in each instance, after “license” insert “OR REGISTRATION”; after line 5 insert:

“18-307.

(a) Except as otherwise provided in this section, a license OR REGISTRATION authorizes the licensee OR REGISTRANT to practice psychology while the license OR REGISTRATION is effective.”;

in lines 8 and 28, in each instance, after “licensed” insert “OR REGISTERED”; and in lines 20, 26, and 27, in each instance, after “licensee” insert “OR REGISTRANT”.

On page 13, in lines 5, 12, 21, 28, and 30, in each instance, after “license” insert “OR REGISTRATION”; in line 7, after “licenses” insert “OR REGISTRATIONS”; in lines 12 and 15, in each instance, after “licensee” insert “OR REGISTRANT”; in line 20, after “license” insert “OR REGISTER”; and in line 27, after “licensing” insert “OR REGISTRATION”.

On page 14, in lines 3, 4, 5, 6, 7, 11, 24, 25, and 26, in each instance, after “license” insert “OR REGISTRATION”; in lines 9 and 10, in each instance, after “LICENSE” insert “OR REGISTRATION”; in line 10, after “licensed” insert “OR REGISTERED”; in line 25, strike “LICENSED” and substitute “REGISTERED”; in line

26, after “licensee” insert “OR REGISTRANT”; in line 30, after “psychologist’s” insert “LICENSE”; and in the same line, strike “license” and substitute “REGISTRATION”.

On page 15, in lines 3, 5, 6, and 8, in each instance, after “license” insert “OR REGISTRATION”; in line 4, in each instance, after “licensee” insert “OR REGISTRANT”; in line 5, after the first “licensee” insert “OR REGISTRANT”; and in lines 5 and 7, in each instance, strike “applicant or licensee” and substitute “APPLICANT, LICENSEE, OR REGISTRANT”.

On page 16, in line 8, after “licensee” insert “OR REGISTRANT”; in line 9, after “licensed” insert “OR REGISTERED”; in line 16, strike “LICENSED” and substitute “REGISTERED”; and after line 17 insert:

“18-313.1.

(a) If, after a hearing under § 18-315 of this subtitle, the Board finds that there are grounds under § 18-313 of this subtitle to suspend or revoke a license OR REGISTRATION or to reprimand a licensee OR REGISTRANT, the Board may impose a monetary penalty not exceeding \$10,000:

(1) Instead of suspending the license OR REGISTRATION; or

(2) In addition to suspending or revoking the license OR REGISTRATION.

18-314.

(a) If, in investigating an allegation brought against a licensee OR REGISTRANT under this title, the Board has reason to believe that the licensee OR REGISTRANT may cause harm to persons affected by the licensee’s OR

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REGISTRANT'S practice of psychology, the Board, on its own initiative, may direct the licensee OR REGISTRANT to submit to an appropriate examination by a psychologist or physician designated by the Board.

(b) In return for the privilege given to a licensee OR REGISTRANT to practice psychology in the State, the licensee OR REGISTRANT is deemed to have:

(1) Consented to submit to an examination under this section, if requested by the Board in writing; and

(2) Waived any claim of privilege as to the testimony or examination reports of the examining psychologist or physician.

(c) The failure or refusal of the licensee OR REGISTRANT to submit to an examination required under subsection (b) of this section is prima facie evidence of the licensee's OR REGISTRANT'S inability to practice psychology competently, unless the Board finds that the failure or refusal was beyond the control of the licensee OR REGISTRANT.

18-316.

(c) A decision of the Board to deny a license OR REGISTRATION, enforce a suspension of a license OR REGISTRATION for more than 1 year, or revoke a license OR REGISTRATION may not be stayed pending judicial review.

18-317.

For reasons the Board considers sufficient, and on the affirmative vote of a majority of its members then serving, the Board may:

(1) Reinstate a license OR REGISTRATION that has been revoked;

- (2) Reduce the period of a suspension; or
- (3) Withdraw a reprimand.

18-401.

(a) Except as otherwise provided in this title, a person may not practice, attempt to practice, or offer to practice psychology in this State unless licensed **OR REGISTERED** by the Board.”.