

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1152

Introduced by

Human Services Committee

(At the request of the Board of Psychologist Examiners)

1 A BILL for an Act to amend and reenact section 43-32-30 of the North Dakota Century Code,
2 relating to the practice of psychology.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 43-32-30 of the 1997 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **43-32-30. Persons exempt from this chapter.** This chapter does not apply to:

- 7 1. Any person in the employ of any federal, state, county or municipal agency, or
8 other political subdivision, or any nonprofit corporation or educational institution
9 presently chartered by this state, insofar as the activities and services of the
10 person are a part of the duties of the person's office or position with such agency,
11 nonprofit corporation, or institution. This exemption is not available or effective
12 after July 1, ~~1999~~ 2001. However, the exemption period may be extended by the
13 board in individual cases where hardship or other good cause is shown by the
14 agency, nonprofit corporation, or institution covered, or where the person affected
15 has received from a school or college a master's degree in psychology and the
16 person's activities and services with such agency, nonprofit corporation, or
17 institution are performed under the supervision of a licensed psychologist. After
18 reviewing the exemption under this subsection, the board and the department of
19 human services shall review their definitions and rules for a master's degree in
20 psychology as used in their own credential requirements.
- 21 2. A student or intern pursuing a course of study in psychology at a school or college,
22 if the activities and services are a part of the person's supervised course of study,
23 provided the student or intern does not use the title "psychologist" and the student
24 or intern status is clearly stated.

- 1 3. A nonresident licensed or certified in the state of the person's residence who does
2 not practice psychology in this state for a period of more than thirty days in any
3 calendar year.
- 4 4. A lecturer, from any school or college, who uses an academic or research title
5 when lecturing to institutions or organizations. However, the lecturer may not
6 engage in the practice of psychology unless the lecturer is licensed to practice
7 psychology in this state.
- 8 5. A person employed by a public school and whose activities and services are
9 restricted to the practice of psychology in the district or service unit of employment.
10 This exemption applies only when the person has received a master's degree in
11 school psychology from an accredited graduate training program. Standards must
12 be established by mutual consent of the board and the superintendent of public
13 instruction.
- 14 6. A person certified, licensed, or registered in this state in another health care
15 profession, whose scope of practice is consistent with the accepted standards of
16 that person's profession, and who does not represent to be rendering
17 psychological services.
- 18 7. An applicant licensed to practice psychology in another jurisdiction, pending
19 disposition of the applicant's application, if the applicant notifies the board on a
20 form provided by the board of the applicant's intent to practice pending disposition
21 of the application and the applicant adheres to the requirements of this chapter
22 and the rules adopted by the board.
- 23 8. A person employed by an agency, nonprofit corporation, or institution who is
24 currently exempt from licensure continues to be exempt if the person continues
25 employment in the same position with the agency, nonprofit corporation, or
26 institution that applied for and received the exemption.
- 27 9. A psychologist resident performing services supervised as provided under section
28 43-32-20.1.