

**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 sections 43-32-13 and 43-32-30 of the North Dakota
2 Century Code, relating to the practice of psychology and the authority of the board of
3 psychologist examiners to deny renewal of a license.

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

5 **SECTION 1. AMENDMENT.** Section 43-32-13 of the 1997 Supplement to the North
6 Dakota Century Code is amended and reenacted as follows:

7 **43-32-13. Annual license and fee.** Before January first of each year, every licensed
8 psychologist in the state shall pay to the secretary of the board an annual license fee
9 determined by the board not to exceed one hundred dollars. The secretary of the board, upon
10 payment of the annual license fee by a person licensed under this chapter, shall issue a
11 certificate of annual license. A person may not hold oneself out as a licensed psychologist until
12 the annual license fee is paid. The board ~~shall revoke~~ may deny renewal of the license of a
13 person who violates this section. Annually, the board shall mail a renewal notice to all licensed
14 psychologists at the address on file with the board.

15 **SECTION 2. AMENDMENT.** Section 43-32-30 of the 1997 Supplement to the North
16 Dakota Century Code is amended and reenacted as follows:

17 **43-32-30. Persons exempt from this chapter.** This chapter does not apply to:

18 1. Any person in the employ of any federal, state, county or municipal agency, or
19 other political subdivision, or any nonprofit corporation or educational institution
20 presently chartered by this state, insofar as the activities and services of the
21 person are a part of the duties of the person's office or position with such agency,
22 nonprofit corporation, or institution. This exemption is not available or effective
23 after July 1, ~~1999~~ 2001. However, the exemption period may be extended by the
24 board in individual cases where hardship or other good cause is shown by the

- 1 agency, nonprofit corporation, or institution covered, or where the person affected
2 has received from a school or college a master's degree in psychology and the
3 person's activities and services with such agency, nonprofit corporation, or
4 institution are performed under the supervision of a licensed psychologist. After
5 reviewing the exemption under this subsection, the board and the department of
6 human services shall review their definitions and rules for a master's degree in
7 psychology as used in their own credential requirements.
- 8 2. A student or intern pursuing a course of study in psychology at a school or college,
9 if the activities and services are a part of the person's supervised course of study,
10 provided the student or intern does not use the title "psychologist" and the student
11 or intern status is clearly stated.
- 12 3. A nonresident licensed or certified in the state of the person's residence who does
13 not practice psychology in this state for a period of more than thirty days in any
14 calendar year.
- 15 4. A lecturer, from any school or college, who uses an academic or research title
16 when lecturing to institutions or organizations. However, the lecturer may not
17 engage in the practice of psychology unless the lecturer is licensed to practice
18 psychology in this state.
- 19 5. A person employed by a public school and whose activities and services are
20 restricted to the practice of psychology in the district or service unit of employment.
21 This exemption applies only when the person has received a master's degree in
22 school psychology from an accredited graduate training program. Standards must
23 be established by mutual consent of the board and the superintendent of public
24 instruction.
- 25 6. A person certified, licensed, or registered in this state in another health care
26 profession, whose scope of practice is consistent with the accepted standards of
27 that person's profession, and who does not represent to be rendering
28 psychological services.
- 29 7. An applicant licensed to practice psychology in another jurisdiction, pending
30 disposition of the applicant's application, if the applicant notifies the board on a
31 form provided by the board of the applicant's intent to practice pending disposition

1 of the application and the applicant adheres to the requirements of this chapter
2 and the rules adopted by the board.

3 8. A person employed by an agency, nonprofit corporation, or institution who is
4 currently exempt from licensure continues to be exempt if the person continues
5 employment in the same position with the agency, nonprofit corporation, or
6 institution that applied for and received the exemption.

7 9. A psychologist resident performing services supervised as provided under section
8 43-32-20.1.