

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-3601 of the Code of Virginia, relating to exemptions from*
3 *licensure.*

4
5 Approved

[S 386]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 54.1-3601 of the Code of Virginia is amended and reenacted as follows:**

8 § 54.1-3601. Exemption from requirements of licensure.

9 The requirements for licensure provided for in this chapter shall not be applicable to:

10 1. Persons who render services that are like or similar to those falling within the scope of the
11 classifications or categories in this chapter, so long as the recipients or beneficiaries of such services are
12 not subject to any charge or fee, or any financial requirement, actual or implied, and the person
13 rendering such service is not held out, by himself or otherwise, as a licensed practitioner or a provider
14 of clinical or school psychology services.

15 2. The activities or services of a student pursuing a course of study in psychology in an institution
16 accredited by an accrediting agency recognized by the Board or under the supervision of a practitioner
17 licensed or certified under this chapter, if such activities or services constitute a part of his course of
18 study and are adequately supervised.

19 3. The activities of rabbis, priests, ministers or clergymen of any religious denomination or sect when
20 such activities are within the scope of the performance of their regular or specialized ministerial duties,
21 and no separate charge is made or when such activities are performed, whether with or without charge,
22 for or under the auspices or sponsorship, individually or in conjunction with others, of an established
23 and legally cognizable church, denomination or sect, and the person rendering service remains
24 accountable to its established authority.

25 4. Persons employed as salaried employees or volunteers of the federal government, the
26 Commonwealth, a locality, or any agency established or funded, in whole or part, by any such
27 governmental entity or of a private, nonprofit organization or agency sponsored or funded, in whole or
28 part, by a community-based citizen group or organization, except that any such person who renders
29 psychological services, as defined in this chapter, shall be (i) supervised by a licensed psychologist or
30 clinical psychologist; (ii) licensed by the Department of Education as a school psychologist; or (iii)
31 employed by a school for students with disabilities which is certified by the Board of Education. Any
32 person who, in addition to the above enumerated employment, engages in an independent private
33 practice shall not be exempt from the licensure requirements.

34 5. Persons regularly employed by private business firms as personnel managers, deputies or assistants
35 so long as their counseling activities relate only to employees of their employer and in respect to their
36 employment.

37 6. Any psychologist holding a license or certificate in another state, the District of Columbia, or a
38 United States territory or foreign jurisdiction consulting with licensed psychologists in this
39 Commonwealth.

40 7. Any psychologist holding a license or certificate in another state, the District of Columbia, or a
41 United States territory or foreign jurisdiction when in Virginia temporarily and such psychologist has
42 been issued a temporary license by the Board to participate in continuing education programs or
43 rendering psychological services without compensation to any patient of any clinic which is organized in
44 whole or in part for the delivery of health care services without charge as provided in § 54.1-106.

45 8. The performance of the duties of any commissioned or contract clinical psychologist in active
46 service in the army, navy, coast guard, marine corps, air force, or public health service of the United
47 States while such individual is so commissioned or serving.

48 9. Any person performing services in the lawful conduct of his particular profession or business
49 under state law.

50 10. *Any person duly licensed as a psychologist in another state or the District of Columbia who*
51 *testifies as a treating psychologist or who is employed as an expert for the purpose of possibly testifying*
52 *as an expert witness.*

ENROLLED

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