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HOUSE BILL NO. 8

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on General Laws  
on January 15, 2004)

(Patrons Prior to Substitute—Delegates Cox [HB 8] and Athey [HB 210])

A BILL to amend and reenact §§ 54.1-3600 and 54.1-3605 of the Code of Virginia and to repeal §§ 54.1-3609 and 54.1-3610 of the Code of Virginia, relating to the abolishment of the Advisory Committee on Certified Practices.

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-3600 and 54.1-3605 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-3600. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Applied psychologist" means an individual licensed to practice applied psychology.

"Board" means the Board of Psychology.

"Certified sex offender treatment provider" means a person who is certified to provide treatment to sex offenders and who provides such services in accordance with the provisions of §§ 54.1-2924.1, 54.1-3005, 54.1-3505, ~~54.1-3609~~, ~~54.1-3610~~, 54.1-3611, and 54.1-3705 and the regulations promulgated pursuant to these provisions.

"Clinical psychologist" means an individual licensed to practice clinical psychology.

"Practice of applied psychology" means application of the principles and methods of psychology to improvement of organizational function, personnel selection and evaluation, program planning and implementation, individual motivation, development and behavioral adjustment, as well as consultation on teaching and research.

"Practice of clinical psychology" includes, but is not limited to:

1. "Testing and measuring" which consists of the psychological evaluation or assessment of personal characteristics such as intelligence, abilities, interests, aptitudes, achievements, motives, personality dynamics, psychoeducational processes, neuropsychological functioning, or other psychological attributes of individuals or groups.

2. "Diagnosis and treatment of mental and emotional disorders" which consists of the appropriate diagnosis of mental disorders according to standards of the profession and the ordering or providing of treatments according to need. Treatment includes providing counseling, psychotherapy, marital/family therapy, group therapy, behavior therapy, psychoanalysis, hypnosis, biofeedback, and other psychological interventions with the objective of modification of perception, adjustment, attitudes, feelings, values, self-concept, personality or personal goals, the treatment of alcoholism and substance abuse, disorders of habit or conduct, as well as of the psychological aspects of physical illness, pain, injury or disability.

3. "Psychological consulting" which consists of interpreting or reporting on scientific theory or research in psychology, rendering expert psychological or clinical psychological opinion, evaluation, or engaging in applied psychological research, program or organizational development, administration, supervision or evaluation of psychological services.

"Practice of psychology" means the practice of applied psychology, clinical psychology or school psychology.

The "practice of school psychology" means:

1. "Testing and measuring" which consists of psychological assessment, evaluation and diagnosis relative to the assessment of intellectual ability, aptitudes, achievement, adjustment, motivation, personality or any other psychological attribute of persons as individuals or in groups that directly relates to learning or behavioral problems that impact education.

2. "Counseling" which consists of professional advisement and interpretive services with children or adults for amelioration or prevention of problems that impact education.

Counseling services relative to the practice of school psychology include but are not limited to the procedures of verbal interaction, interviewing, behavior modification, environmental manipulation and group processes.

3. "Consultation" which consists of educational or vocational consultation or direct educational services to schools, agencies, organizations or individuals. Psychological consulting as herein defined is directly related to learning problems and related adjustments.

4. Development of programs such as designing more efficient and psychologically sound classroom situations and acting as a catalyst for teacher involvement in adaptations and innovations.

"Psychologist" means a person licensed to practice school, applied or clinical psychology.

"School psychologist" means a person licensed by the Board of Psychology to practice school psychology.

60 § 54.1-3605. Powers and duties of the Board.

61 In addition to the powers granted in other provisions of this title, the Board shall have the following  
62 specific powers and duties:

63 1. To cooperate with and maintain a close liaison with other professional boards and the community  
64 to ensure that regulatory systems stay abreast of community and professional needs.

65 2. To conduct inspections to ensure that licensees conduct their practices in a competent manner and  
66 in conformance with the relevant regulations.

67 3. To designate specialties within the profession.

68 4. To issue a temporary license for such periods as the Board may prescribe to practice psychology  
69 to persons who are engaged in a residency or pursuant to subdivision 7 of § 54.1-3601.

70 5. To promulgate regulations for the voluntary certification of licensees as sex offender treatment  
71 providers. ~~In promulgating such regulations, the Board shall consider the standards recommended by the~~  
72 ~~Advisory Committee on Certified Practices pursuant to § 54.1-3610.~~

73 6. To administer the mandatory certification of sex offender treatment providers for those  
74 professionals who are otherwise exempt from licensure under subdivision 4 of §§ 54.1-3501, 54.1-3601  
75 or § 54.1-3701 and to promulgate regulations governing such mandatory certification. The regulations  
76 shall include provisions for fees for application processing, certification qualifications, certification  
77 issuance and renewal and disciplinary action.

78 7. To promulgate regulations establishing the requirements for licensure of clinical psychologists that  
79 shall include appropriate emphasis in the diagnosis and treatment of persons with moderate and severe  
80 mental disorders.

81 **2. That §§ 54.1-3609 and 54.1-3610 of the Code of Virginia are repealed.**