

INTERIM STUDY PROPOSAL 2023-137

State of Arkansas
94th General Assembly

A Bill

JMB/jta
HOUSE BILL

By: Representative L. Johnson

Filed with: House Committee on Public Health, Welfare, and Labor
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO AUTHORIZE A LICENSED PSYCHOLOGICAL
PRACTITIONER TO PRACTICE INDEPENDENTLY IN THIS STATE;
TO REMOVE THE INDEPENDENT PRACTICE PRIVILEGES FROM
PSYCHOLOGICAL EXAMINERS; AND FOR OTHER PURPOSES.

Subtitle

TO AUTHORIZE A LICENSED PSYCHOLOGICAL
PRACTITIONER TO PRACTICE INDEPENDENTLY
IN THIS STATE; AND TO REMOVE THE
INDEPENDENT PRACTICE PRIVILEGES FROM
PSYCHOLOGICAL EXAMINERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-97-102(a)(3), concerning the definition
of "psychological examiner" relating to the practice of psychology, is
amended to read as follows:

(3) "Psychological examiner" means a person who holds himself or
herself out to be a psychological examiner or renders to individuals or to
the public for remuneration of any service involving the practice of
psychology ~~either:~~

~~(A) Independently interviewing or administering and
interpreting tests of mental abilities, aptitudes, interests, and personality
characteristics for the purposes of psychological evaluation to assist in the~~

1 ~~determination of diagnosis of mental health disorders or educational or~~
2 ~~vocational selection, guidance, or placement; or~~

3 ~~(B) Only~~ only under the supervision of a qualified
4 psychologist if the service is not listed in subdivision (a)(2)(A) of this
5 section; and

6
7 SECTION 2. Arkansas Code § 17-97-102(a), concerning definitions
8 relating to the practice of psychology, is amended to add an additional
9 subdivision to read as follows:

10 (5) "Licensed psychological practitioner" means a person who:

11 (A) Holds himself or herself out to be a licensed
12 psychological practitioner; or

13 (B) Renders to individuals or to the public for
14 remuneration of any service involving the practice of psychology
15 independently interviewing or administering and interpreting tests of mental
16 abilities, aptitudes, interests, and personality characteristics for the
17 purposes of psychological evaluation to assist in the determination of:

18 (i) Diagnosis of mental health disorders; or
19 (ii) Educational or vocational selection, guidance,
20 or placement.

21
22 SECTION 3. Arkansas Code § 17-97-303 is amended to read as follows:

23 17-97-303. Psychological examiners – Application – Qualifications.

24 (a) ~~Any~~ A person wishing to obtain the right to practice as a
25 psychological examiner who has not heretofore been licensed to do so shall
26 make application to the Arkansas Psychology Board through the Chair of the
27 Arkansas Psychology Board upon a form and in the manner as shall be adopted
28 and prescribed by the board and shall obtain from the board a license to do
29 so.

30 (b)(1) A candidate for a license shall furnish the board with
31 satisfactory evidence that he or she:

32 (A) Has a master's degree in psychology or a closely
33 related field from an accredited educational institution recognized by the
34 board as maintaining satisfactory standards;

35 (B) Is competent as a psychological examiner as shown by
36 passing examinations, written or oral, or both, as the board deems necessary;

1 (C) Is not considered by the board to be engaged in
2 unethical practice;

3 (D) Has applied for a criminal background check and has
4 not been found guilty of or pleaded guilty or nolo contendere to any of the
5 offenses listed in § 17-3-102; and

6 (E) Has not failed an examination given by the board
7 within the preceding six (6) months.

8 (2) At its discretion, the board may accept satisfactory
9 substitute training and experience in lieu of that prescribed in subdivision
10 (b)(1) of this section.

11 (c) The board shall apply through its rules the qualifications of
12 supervising psychologists and the restrictions and reporting requirements of
13 supervision so as to implement the intent of this chapter without restricting
14 the professional integrity of the psychological examiner and psychologist or
15 the ultimate responsibility of the supervising psychologist.

16 ~~(d)(1)(A) A psychological examiner licensed before December 31, 1997,~~
17 ~~shall be granted independent practice except in neuropsychological~~
18 ~~assessment, forensic psychological assessment, and projective personality~~
19 ~~assessment upon the board's receiving a letter requesting independent~~
20 ~~practice and a revised statement of intent.~~

21 ~~(B) No additional hours of clinical supervision shall be~~
22 ~~required for a license granted under subdivision (d)(1)(A) of this section.~~

23 ~~(2) A psychological examiner licensed after December 31, 1997,~~
24 ~~shall be privileged to practice independently except in neuropsychological~~
25 ~~assessment, forensic psychological assessment, and projective personality~~
26 ~~assessment, if the person:~~

27 ~~(A) Has completed a master's degree program in psychology;~~

28 ~~(B) Has completed three thousand (3,000) hours of approved~~
29 ~~clinical supervised training after making application for independent~~
30 ~~practice; and~~

31 ~~(C) Has filed a revised statement of intent with the board~~
32 ~~and has provided documentation of having received appropriate training and~~
33 ~~experience in those areas requested for independent practice.~~

34 ~~(3) A psychological examiner licensed after December 31, 2024,~~
35 ~~shall not be granted independent practice status if he or she submits an~~
36 ~~application to the board for independent practice.~~

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2 SECTION 4. Arkansas Code Title 17, Chapter 97, Subchapter 3, is
3 amended to add an additional section to read as follows:

4 17-97-313. Licensed psychological practitioner – Application –
5 Qualifications – Compensation.

6 (a) A person wishing to obtain the right to practice as a licensed
7 psychological practitioner shall apply to the Arkansas Psychology Board
8 through the Chair of the Arkansas Psychology Board upon a form and in the
9 manner as determined by the board.

10 (b)(1) A candidate for a license shall furnish the board with
11 satisfactory evidence that he or she:

12 (A) Has completed:

13 (i) A sixty-hour master's degree in psychology or an
14 equivalent degree as determined and approved by the board; and

15 (ii) Three thousand (3,000) hours of approved
16 clinical supervised training;

17 (B) Is competent as a licensed psychological practitioner
18 as shown by passing examinations, written or oral, or both, as the board
19 deems necessary;

20 (C) Is not considered by the board to be engaged in
21 unethical practice;

22 (D) Has applied for a criminal background check and has
23 not been found guilty of or pleaded guilty or nolo contendere to any of the
24 offenses listed in § 17-3-102; and

25 (E) Has not failed an examination given by the board
26 within the preceding six (6) months.

27 (2) At the board's discretion, the board may accept satisfactory
28 substitute training and experience in lieu of that prescribed in subdivision
29 (b)(1) of this section.

30 (3) A person who was previously licensed as a psychological
31 examiner and granted the privilege to practice independently by the board on
32 or before December 31, 2024, is not required to fulfill the requirements
33 under subdivision (b)(1) of this section to be licensed under this section.

34 (c) A licensed psychological practitioner may practice independently
35 except in neuropsychological assessment, forensic psychological assessment,
36 and projective personality assessment.

1 (d) The board may issue a provisional license to a person who has
2 completed the requirements in subdivisions (b)(1)(A)(i) and (b)(1)(B)-(E) of
3 this section to ensure that the person obtains the appropriate approved
4 clinical supervised training as required under subdivision (b)(1)(A)(ii) of
5 this section.

6 (e) For services provided, a licensed psychological practitioner may
7 receive compensation from:

8 (1) Medicare;

9 (2) The Arkansas Medicaid Program;

10 (3) A private insurance policy or plan;

11 (4) A health benefit plan; or

12 (5) A healthcare provider or healthcare professional.

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15 Referred by Representative L. Johnson

16 Prepared by: JMB/JMB

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