

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5776**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 16111, 16343, 18101, 18107, 18111, 18115,
18201, 18211, 18221, 18223, 18233, and 18237 (MCL 333.16111,
333.16343, 333.18101, 333.18107, 333.18111, 333.18115, 333.18201,
333.18211, 333.18221, 333.18223, 333.18233, and 333.18237), section
16111 as amended by 2006 PA 392, section 16343 as added by 1993 PA
79, sections 18101 and 18111 as added by 1988 PA 421, section 18107
as amended by 1989 PA 262, section 18115 as amended by 2006 PA 429,
sections 18211 and 18221 as amended by 2006 PA 395, section 18223
as amended by 2018 PA 24, section 18233 as amended by 1994 PA 234,
and section 18237 as amended by 1998 PA 496, and by adding sections
18106, 18116, 18225, 18226, and 18236.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 16111. (1) This part applies to health professions, but, except for sections 16201, 16261, 16299, 16301, 16303, 16305, **AND** 16307, ~~16309, and 16313,~~ does not apply to a pharmacy, dispensing prescriber, or drug manufacturer or wholesaler who is regulated by part 177.

(2) Except as otherwise provided by this article, this part controls over all other parts in this article.

(3) A part in this article does not prohibit a licensee under another part or other law of this state from performing activities and using designated titles authorized by a license issued to him or her under that other part or other law of this state.

(4) A part in this article does not prohibit a registrant under another part or other state law from using designated titles authorized by a registration issued to him or her under that other part or other state law.

(5) This article ~~shall~~**DOES** not prohibit a licensee from advising a patient to seek professional services or advice from another person.

Sec. 16343. Fees for ~~a person~~**AN INDIVIDUAL WHO IS** licensed or seeking licensure to engage in the practice of psychology **OR PRACTICE OF A PSYCHOLOGICAL ASSOCIATE** under part 182 are as follows:

(a)	Application processing fee.....	\$ 50.00 75.00
(b)	License fee, per year:	
(i)	Full doctoral.....	90.00 101.00
(ii)	Limited doctoral.....	30.00 37.00

1	(iii)	Masters limited.....	60.00 69.00
2	(iv)	Temporary limited.....	15.00 21.00
3	(v)	PSYCHOLOGICAL ASSOCIATE.....	60.00
4	(vi)	LIMITED PSYCHOLOGICAL ASSOCIATE.....	60.00
5	(c)	Limited license, per year.....	40.00 42.00
6	(d)	Temporary license.....	15.00 16.00
7	(e)	Examination review fee.....	20.00 21.00

8 Sec. 18101. As used in this part:

9 (a) ~~"Counseling"~~**CLINICAL COUNSELING** principles, methods, or
10 procedures" means ~~a developmental approach that systematically~~
11 ~~assists an individual through the application of any of the~~
12 ~~following procedures:~~

13 ~~—— (i) Evaluation and appraisal techniques. As used in this~~
14 ~~subparagraph, "appraisal techniques" means selecting,~~
15 ~~administering, scoring, and interpreting instruments and procedures~~
16 ~~designed to assess an individual's aptitudes, interests, attitudes,~~
17 ~~abilities, achievements, and personal characteristics for~~
18 ~~developmental purposes and not for psychodiagnostic purposes.~~

19 ~~—— (ii) Exploring alternative solutions.~~

20 ~~—— (iii) Developing and providing a counseling plan for mental~~
21 ~~and emotional development.~~

22 ~~—— (iv) Guidance.~~ 1 OR MORE OF THE FOLLOWING:

23 (i) **PSYCHOTHERAPY, THE DIAGNOSIS AND TREATMENT PLANNING FOR**
24 **MENTAL AND EMOTIONAL DISORDERS, AND EVALUATION.**

25 (ii) **SELECTING, ADMINISTERING, SCORING, AND INTERPRETING**
26 **ASSESSMENTS, TESTS, AND APPRAISALS THAT ARE DESIGNED TO ASSESS AN**
27 **INDIVIDUAL'S APTITUDES, INTERESTS, ATTITUDES, ABILITIES,**

1 ACHIEVEMENTS, AND PERSONAL CHARACTERISTICS IN ORDER TO USE
 2 APPRAISAL AND DIAGNOSTIC RESULTS IN HELPING PROCESSES.

3 (iii) ~~(v)~~—Psychoeducational consulting. AS USED IN THIS
 4 SUBPARAGRAPH, "PSYCHOEDUCATIONAL CONSULTING" MEANS ASSISTING A
 5 CONSULTEE THAT IS WORKING WITH AN INDIVIDUAL, SMALL GROUP, OR
 6 ORGANIZATION BY IDENTIFYING PROBLEMS, STRENGTHS, AND WEAKNESSES AND
 7 MAKING RECOMMENDATIONS FOR THE IMPLEMENTATION OF PREVENTATIVE OR
 8 REMEDIAL STRATEGIES.

9 ~~——(vi) Learning theory.~~

10 ~~——(vii) Individual and group techniques emphasizing prevention.~~

11 (iv) ~~(viii)~~—Counseling techniques. AS USED IN THIS

12 SUBPARAGRAPH:

13 (A) "COUNSELING TECHNIQUES" MEANS THE APPLICATION OF BASIC
 14 COUNSELING AND PSYCHOTHERAPY SKILLS AND THEORIES IN THE COUNSELING
 15 PROCESS TO ESTABLISH AND MAINTAIN THE COUNSELING RELATIONSHIP;
 16 DIAGNOSE THE PROBLEM; FORMULATE A PREVENTATIVE, TREATMENT, OR
 17 REHABILITATIVE PLAN; AND FACILITATE APPROPRIATE INTERVENTIONS.

18 (B) "DIAGNOSE THE PROBLEM" MEANS TO IDENTIFY THE PROBLEM
 19 THROUGH THE APPLICATION OF RECOGNIZED COUNSELING TECHNIQUES AND
 20 PSYCHOTHERAPY SKILLS AND THEORIES, INCLUDING THE USE OF THE
 21 DIAGNOSTIC AND STATISTICAL MANUAL FOR MENTAL DISORDERS, OBTAINED
 22 THROUGH THE SUCCESSFUL COMPLETION OF A PROGRAM THAT IS ACCREDITED
 23 BY THE COUNCIL FOR THE ACCREDITATION OF COUNSELING AND RELATED
 24 EDUCATIONAL PROGRAMS OR A SUBSTANTIALLY EQUIVALENT EDUCATIONAL
 25 PROGRAM APPROVED BY THE BOARD. DIAGNOSE THE PROBLEM DOES NOT
 26 INCLUDE THE IDENTIFICATION OF OTHER MEDICAL OR PHYSICAL CONDITIONS
 27 WHOSE IDENTIFICATION ARE NOT INCLUDED WITHIN RECOGNIZED COUNSELING

1 TECHNIQUES AND PSYCHOTHERAPY SKILLS AND THEORIES.

2 (v) ~~(ix)~~ Behavioral modification techniques. AS USED IN THIS
3 SUBPARAGRAPH, "BEHAVIORAL MODIFICATION TECHNIQUES" MEANS ASSISTING
4 CLIENTS IN IDENTIFYING MALADAPTIVE OR HARMFUL BEHAVIORS AND
5 REPLACING THEM WITH ADAPTIVE AND HELPFUL BEHAVIORS.

6 (vi) ~~(x)~~ Referrals. **REFERRAL.** As used in this subparagraph,
7 ~~referral~~ "**REFERRAL**" includes determining the need for referral to 1
8 or more statutorily regulated mental health professionals whose
9 expertise, skills, and competence are appropriate to the problems
10 of the individual, informing the individual of the referral, and
11 communicating as appropriate with the professional to whom the
12 individual has been referred.

13 (vii) PREVENTATIVE TECHNIQUES. AS USED IN THIS SUBPARAGRAPH,
14 "PREVENTATIVE TECHNIQUES" MEANS ASSISTING A CLIENT IN MAINTAINING
15 MENTAL AND EMOTIONAL WELL-BEING AND PREVENTING EMOTIONAL DISTRESS
16 AND MENTAL ILLNESS.

17 (viii) ESTABLISHING A COUNSELING PLAN FOR THE TREATMENT OF 1
18 OR MORE OF THE FOLLOWING DISORDERS OF AN INDIVIDUAL, COUPLE, GROUP,
19 OR FAMILY:

20 (A) AN EMOTIONAL DISORDER.

21 (B) A MENTAL DISORDER.

22 (C) AN ADDICTION DISORDER.

23 (D) A PHYSICAL DISORDER THAT REQUIRES A COUNSELING
24 INTERVENTION.

25 (ix) PROMOTING MENTAL HEALTH WELLNESS. AS USED IN THIS
26 SUBPARAGRAPH, "MENTAL HEALTH WELLNESS" INCLUDES, BUT IS NOT LIMITED
27 TO, THE ACHIEVEMENT OF SOCIAL, CAREER, AND EMOTIONAL DEVELOPMENT

1 ACROSS AN INDIVIDUAL'S LIFE SPAN.

2 (x) PREVENTING AND TREATING MENTAL AND EMOTIONAL DISORDERS. AS
3 USED IN THIS SUBPARAGRAPH, "PREVENTING AND TREATING MENTAL AND
4 EMOTIONAL DISORDERS" INCLUDES, BUT IS NOT LIMITED TO, THE USE OF
5 CRISIS INTERVENTION.

6 (b) "Licensed professional counselor" means an individual WHO
7 IS licensed under this article to engage in the practice of
8 counseling WITHOUT SUPERVISION.

9 (c) "Limited licensed counselor" means an individual who has
10 been granted a limited license by the board to ~~offer~~ ENGAGE IN THE
11 PRACTICE OF counseling services under the supervision of a licensed
12 professional counselor WHO MEETS THE REQUIREMENT OF SECTION 18106.

13 (d) ~~"Practice~~ EXCEPT AS OTHERWISE PROVIDED IN SUBDIVISION (E),
14 "PRACTICE of counseling" or "counseling" means the rendering to
15 individuals, groups, families, organizations, or the general public
16 IN ACCORDANCE WITH ACCEPTED AND ESTABLISHED ETHICS a service
17 involving ~~the application of~~ clinical counseling principles,
18 methods, or procedures for the purpose of achieving social,
19 personal, career, and emotional development and with the goal of
20 promoting and enhancing healthy self actualizing and satisfying
21 lifestyles whether the services are rendered in an educational,
22 business, health, private practice, or human services setting.

23 (E) The practice of counseling does not include the practice
24 of psychology except for those preventive techniques, counseling
25 techniques, or behavior modification techniques for which the
26 licensed professional counselor or limited licensed counselor has
27 been specifically trained. The practice of counseling does not

1 include the practice of medicine ~~such as~~ **OR OSTEOPATHIC MEDICINE**
 2 **AND SURGERY, INCLUDING, BUT NOT LIMITED TO, THE DIFFERENTIAL**
 3 **DIAGNOSIS OF MEDICAL CONDITIONS OR DISORDERS,** prescribing drugs, or
 4 administering electroconvulsive therapy. A counselor shall not hold
 5 himself or herself out as a ~~ANY OF THE FOLLOWING:~~

6 (i) A psychologist as defined in section 18201.

7 (ii) A ~~counselor shall not hold himself or herself out as a~~
 8 ~~marriage and family counselor providing marriage counseling~~
 9 ~~pursuant to section 1501 of the occupational code, Act No. 299 of~~
 10 ~~the Public Acts of 1980, being section 339.1501 of the Michigan~~
 11 ~~Compiled Laws.~~ **THERAPIST AS DEFINED IN SECTION 16901.**

12 (iii) A LICENSED BACHELOR'S SOCIAL WORKER OR A LICENSED
 13 MASTER'S SOCIAL WORKER AS THOSE TERMS ARE DEFINED IN SECTION 18501.

14 **SEC. 18106. A LICENSED PROFESSIONAL COUNSELOR SHALL NOT**
 15 **SUPERVISE A LIMITED LICENSED COUNSELOR WITHOUT COMPLETING TRAINING**
 16 **IN SUPERVISION AS REQUIRED BY THE BOARD BY RULE.**

17 **Sec. 18107. (1) ~~The~~ SUBJECT TO SUBSECTION (2), THE** board may
 18 grant a professional counselor license to an individual who ~~is or~~
 19 ~~does~~ **MEETS** all of the following **CRITERIA:**

20 (a) Is not less than 21 years of age.

21 (b) Has received, **FROM AN ACCREDITED COLLEGE OR UNIVERSITY**
 22 **APPROVED BY THE DEPARTMENT,** a ~~masters~~ **MASTER'S** or doctoral degree
 23 in counseling ~~or student personnel work in a program approved by~~
 24 ~~the board.~~ **FROM A PROGRAM THAT IS ACCREDITED BY THE COUNCIL FOR THE**
 25 **ACCREDITATION OF COUNSELING AND RELATED EDUCATIONAL PROGRAMS AND**
 26 **THAT INCLUDES COURSEWORK AND TRAINING IN THE DIAGNOSIS AND**
 27 **TREATMENT OF MENTAL AND EMOTIONAL DISORDERS OR FROM A SUBSTANTIALLY**

EQUIVALENT PROGRAM APPROVED BY THE BOARD. The board shall promulgate rules to establish standards to approve only those programs that include, **AT A MINIMUM**, graduate studies in the following areas: research, **HUMAN GROWTH AND DEVELOPMENT**, group techniques, counseling theories, ethics, counseling techniques, counseling philosophy **AND IDENTITY**, testing procedures, **AND ASSESSMENT, DIAGNOSIS AND TREATMENT PLANNING FOR MENTAL AND EMOTIONAL DISORDERS**, career development, **SOCIAL AND CULTURAL DIVERSITY**, consulting, practicum, and internship.

(c) Has at least 2 years of counseling experience under the supervision of a licensed professional counselor. The board may decrease the required length of counseling experience under the supervision of a licensed professional counselor to 1 year if an applicant has completed 30 hours of graduate study in counseling beyond the master's degree. An applicant shall not be licensed before completing 1 year of counseling experience under the supervision of a licensed professional counselor. ~~This subdivision shall take effect on October 1, 1994.~~

~~———— (2) By October 1, 1993, an individual who meets the requirement of subsection (1)(a), has 2 years of experience, and holds a master's or doctoral degree in counseling or student personnel work that does not meet the requirements of subsection (1)(b), may be granted a license by the board.~~

(2) THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, MAY PROMULGATE RULES UNDER SECTION 16145 AS NECESSARY OR APPROPRIATE TO SUPPLEMENT THE REQUIREMENTS FOR LICENSURE UNDER THIS PART AS A LICENSED PROFESSIONAL COUNSELOR, INCLUDING ADOPTING UPDATED

1 STANDARDS OF THAT ORGANIZATION OR STANDARDS OF ANY SUCCESSOR
 2 ORGANIZATION OF THE COUNCIL FOR THE ACCREDITATION OF COUNSELING AND
 3 RELATED EDUCATIONAL PROGRAMS.

4 Sec. 18111. (1) ~~The~~ **SUBJECT TO SUBSECTION (3),** THE board may
 5 grant a limited license to an individual who meets both of the
 6 following criteria:

7 (a) Is not less than 21 years of age.

8 (b) Has received, from an accredited college or university
 9 approved by the department, a ~~masters~~ **MASTER'S** or doctoral degree
 10 in counseling ~~or student personnel work in a program approved by~~
 11 ~~the board.~~ **FROM A PROGRAM THAT IS ACCREDITED BY THE COUNCIL FOR THE**
 12 **ACCREDITATION OF COUNSELING AND RELATED EDUCATIONAL PROGRAMS AND**
 13 **THAT INCLUDES COURSEWORK AND TRAINING IN THE DIAGNOSIS AND**
 14 **TREATMENT OF MENTAL AND EMOTIONAL DISORDERS OR FROM A SUBSTANTIALLY**
 15 **EQUIVALENT PROGRAM APPROVED BY THE BOARD.** The board shall
 16 **PROMULGATE RULES TO ESTABLISH STANDARDS TO** approve only those
 17 programs that include, **AT A MINIMUM,** graduate studies in the
 18 following areas: research, **HUMAN GROWTH AND DEVELOPMENT,** group
 19 techniques, counseling theories, ethics, counseling techniques,
 20 counseling philosophy **AND IDENTITY,** testing ~~procedures,~~ **AND**
 21 **ASSESSMENT, DIAGNOSIS AND TREATMENT PLANNING FOR MENTAL AND**
 22 **EMOTIONAL DISORDERS,** career development, **SOCIAL AND CULTURAL**
 23 **DIVERSITY,** consulting, practicum, and internship.

24 (2) A limited license ~~issued~~ **GRANTED** under this section shall
 25 **MUST** require that the individual confine his or her practice to a
 26 program of counseling experience under the supervision of a
 27 licensed professional counselor.

(3) THE DEPARTMENT, IN CONSULTATION WITH THE BOARD, MAY PROMULGATE RULES UNDER SECTION 16145 AS NECESSARY OR APPROPRIATE TO SUPPLEMENT THE REQUIREMENTS FOR LICENSURE UNDER THIS PART AS A LIMITED LICENSED COUNSELOR, INCLUDING ADOPTING UPDATED STANDARDS OF THAT ORGANIZATION OR STANDARDS OF ANY SUCCESSOR ORGANIZATION OF THE COUNCIL FOR THE ACCREDITATION OF COUNSELING AND RELATED EDUCATIONAL PROGRAMS.

Sec. 18115. (1) This article does not limit an individual in, nor prevent an individual from, the practice of a statutorily regulated profession or occupation if counseling is part of the services provided by that profession or occupation, and the individual does not hold himself or herself out as a counselor regulated under this article. As used in this subsection, "statutorily regulated profession or occupation" includes, but is not limited to, all of the following: a physician, attorney, marriage and family therapist, debt management counselor, **LICENSED BACHELOR'S** social worker, **LICENSED MASTER'S SOCIAL WORKER**, social ~~services~~**SERVICE** technician, licensed psychologist, limited licensed psychologist, temporary limited licensed psychologist, or school counselor.

(2) This part does not apply to any of the following:

(a) An ordained member of the clergy if counseling is incidental to his or her religious duties performed under the auspices or recognition of a church, denomination, religious association, or sect, that has ~~tax-exempt~~ **TAX-EXEMPT** status ~~pursuant to~~ **UNDER** section 501(c)(3) of the internal revenue code of 1986, 26 USC 501, if the member of the clergy does not hold himself

1 or herself out as a counselor licensed under this article.

2 (b) An individual who performs volunteer services for a public
3 or private nonprofit organization, church, or charity, if the
4 individual is approved by the organization or agency for which the
5 services are rendered.

6 (c) An individual who is employed by or who volunteers to work
7 in a **SUBSTANCE USE DISORDER SERVICES** program licensed by the office
8 ~~of substance abuse services.~~ **DEPARTMENT UNDER PART 62.**

9 ~~—— (d) A member of any other profession whose practice may
10 include counseling principles, methods, or procedures from
11 practicing his or her profession as long as he or she is trained in
12 that profession and does not hold himself or herself out as a
13 counselor providing counseling. As used in this subdivision,
14 "profession" includes, but is not limited to, the fields of human
15 resources development and organizational development.~~

16 **(D) A CHRISTIAN SCIENCE PRACTITIONER.**

17 (3) Notwithstanding section 18105(3), this part does not
18 prohibit the use of the word "counselor" without the qualifying
19 words "licensed" or "professional" used in conjunction with the
20 word "counselor", except as otherwise provided by law.

21 **SEC. 18116. THIS PART DOES NOT REQUIRE NEW OR ADDITIONAL THIRD**
22 **PARTY REIMBURSEMENT OR MANDATED WORKER'S COMPENSATION BENEFITS FOR**
23 **SERVICES RENDERED BY AN INDIVIDUAL LICENSED UNDER THIS PART.**

24 Sec. 18201. (1) As used in this part:

25 ~~—— (a) "Psychologist" means an individual licensed under this~~
26 ~~article to engage in the practice of psychology.~~

27 **(A) "PRACTICE OF A PSYCHOLOGICAL ASSOCIATE" MEANS RENDERING**

1 PSYCHOTHERAPY SERVICES TO INDIVIDUALS, GROUPS, ORGANIZATIONS, OR
 2 THE PUBLIC THAT INVOLVE THE APPLICATION OF PRINCIPLES, METHODS, AND
 3 PROCEDURES OF UNDERSTANDING, PREDICTING, AND INFLUENCING BEHAVIOR
 4 FOR THE PURPOSES OF THE DIAGNOSIS AND INTAKE ASSESSMENT,
 5 PREVENTION, AMELIORATION, OR TREATMENT OF MENTAL OR EMOTIONAL
 6 DISORDERS, DISABILITIES, OR BEHAVIORAL ADJUSTMENT PROBLEMS BY MEANS
 7 OF PSYCHOTHERAPY, COUNSELING, BEHAVIOR MODIFICATION, HYPNOSIS,
 8 BIOFEEDBACK TECHNIQUES, OR OTHER VERBAL OR BEHAVIORAL MEANS.
 9 PRACTICE OF A PSYCHOLOGICAL ASSOCIATE DOES NOT INCLUDE THE PRACTICE
 10 OF MEDICINE OR OSTEOPATHIC MEDICINE AND SURGERY, INCLUDING, BUT NOT
 11 LIMITED TO, PRESCRIBING DRUGS, PERFORMING SURGERY, OR ADMINISTERING
 12 ELECTRO-CONVULSIVE THERAPY.

13 (b) "Practice of psychology" means ~~the rendering~~ SERVICES to
 14 individuals, groups, organizations, or the public ~~of services~~
 15 ~~involving~~ **THAT INVOLVE** the application of principles, methods, and
 16 procedures of understanding, predicting, and influencing behavior
 17 for the purposes of the diagnosis, assessment related to diagnosis,
 18 prevention, amelioration, or treatment of mental or emotional
 19 disorders, disabilities or behavioral adjustment problems by means
 20 of psychotherapy, counseling, behavior modification, hypnosis,
 21 biofeedback techniques, ~~psychological tests,~~ **PSYCHOMETRIC**
 22 **ASSESSMENTS**, or other verbal or behavioral means. ~~The practice~~
 23 **PRACTICE** of psychology ~~shall~~ **DOES** not include the practice of
 24 medicine ~~such as~~ **OR OSTEOPATHIC MEDICINE AND SURGERY, INCLUDING,**
 25 **BUT NOT LIMITED TO**, prescribing drugs, performing surgery, or
 26 administering electro-convulsive therapy.

27 (c) "PSYCHOLOGICAL ASSOCIATE" MEANS AN INDIVIDUAL WHO IS

1 LICENSED OR OTHERWISE AUTHORIZED UNDER THIS ARTICLE TO ENGAGE IN
2 THE PRACTICE OF A PSYCHOLOGICAL ASSOCIATE.

3 (D) "PSYCHOLOGIST" MEANS AN INDIVIDUAL WHO IS LICENSED UNDER
4 THIS ARTICLE TO ENGAGE IN THE PRACTICE OF PSYCHOLOGY.

5 (E) "PSYCHOMETRIC ASSESSMENT" INCLUDES, BUT IS NOT LIMITED TO,
6 AN ACTUARIALLY BASED INSTRUMENT THAT ALLOWS STATISTICAL PREDICTION
7 OF PSYCHOLOGICAL FUNCTIONING.

8 (2) In addition to the definitions in this part, article 1
9 contains general definitions and principles of construction
10 applicable to all articles in this code and part 161 contains
11 definitions applicable to this part.

12 Sec. 18211. (1) ~~A person~~ **AN INDIVIDUAL** shall not engage in the
13 practice of psychology unless **HE OR SHE IS** licensed or otherwise
14 authorized ~~by~~ **UNDER** this article **TO ENGAGE IN THAT PRACTICE. AN**
15 **INDIVIDUAL SHALL NOT ENGAGE IN THE PRACTICE OF A PSYCHOLOGICAL**
16 **ASSOCIATE UNLESS HE OR SHE IS LICENSED OR OTHERWISE AUTHORIZED**
17 **UNDER THIS ARTICLE TO ENGAGE IN THAT PRACTICE.**

18 (2) The following words, titles, or letters or a combination
19 ~~thereof,~~ **OF THE WORDS, TITLES, OR LETTERS**, with or without
20 qualifying words or phrases, are restricted in use only to those
21 persons authorized under this part to use the terms and in a way
22 prescribed in this part: "consulting psychologist", "psychologist",
23 ~~"psychological assistant",~~ "psychological examiner", "licensed
24 psychologist", ~~and~~ "limited licensed psychologist", **"PSYCHOLOGICAL**
25 **ASSOCIATE", "LICENSED PSYCHOLOGICAL ASSOCIATE", AND "LIMITED**
26 **LICENSED PSYCHOLOGICAL ASSOCIATE".**

27 Sec. 18221. (1) The Michigan board of psychology is created in

the department and shall consist of the following 9 voting members,
~~who shall~~ **EACH OF WHOM MUST** meet the requirements of part 161: ~~5-4~~
 psychologists, ~~including at least 1~~ nondoctoral psychologist **OR**
PSYCHOLOGICAL ASSOCIATE, and 4 public members.

(2) Section 1212 does not apply to this board.

(3) ~~(2)~~ The terms of office of individual members of the board
 created under this section, except those appointed to fill
 vacancies, expire 4 years after appointment on December 31 of the
 year in which the term expires.

Sec. 18223. (1) The department, in consultation with the
 board, shall promulgate rules requiring that to be granted a
 license under this part **TO ENGAGE IN THE PRACTICE OF PSYCHOLOGY**,
 except as provided in subsection (2), an individual must meet both
 of the following requirements:

(a) ~~Have been granted~~ **HOLD** a doctoral degree in psychology, or
 a doctoral degree in a closely related field, from a doctoral
 degree program that meets all of the following requirements:

(i) Is offered by a regionally accredited or other college,
 university, or institution approved by the board, and includes
 education and training appropriate to the practice of psychology.

(ii) Has obtained the Association of State and Provincial
 Psychology Boards' ~~national register~~ **OR NATIONAL REGISTER**
 designation, has been accredited by the American Psychological
 Association or the Canadian Psychological Association, or has
 obtained a similar designation from or been accredited by an entity
 approved by the board. ~~However,~~ **FOR PURPOSES OF THIS SUBPARAGRAPH**,
 a program that is in the process of obtaining the designation or

1 becoming accredited as ~~required~~ **DESCRIBED** in this subparagraph
2 before August 1, 2011, and that obtains the designation or becomes
3 accredited on or before August 31, 2020, meets the requirements of
4 this subparagraph.

5 (b) Have ~~not less than~~ **AT LEAST** 1 year of postdoctoral
6 experience in the practice of psychology in an organized health
7 care setting or other arrangement, as established by the **DEPARTMENT**
8 **IN CONSULTATION WITH THE** board.

9 (2) **THIS SUBSECTION DOES NOT APPLY AFTER DECEMBER 31, 2020.** In
10 addition to section 16182, the board shall grant a limited license
11 to **ENGAGE IN THE PRACTICE OF PSYCHOLOGY TO** an individual ~~granted~~
12 **WHO HOLDS** a master's degree in psychology from a regionally
13 accredited college, or university, or institution approved by the
14 board, if the individual has education, training, and experience
15 appropriate to the practice of psychology, as established by the
16 **DEPARTMENT IN CONSULTATION WITH THE** board. An individual who
17 applies for an initial limited license under this subsection before
18 March 31, 2018 is not required to take an examination that is
19 approved by the board to be granted a limited license **TO ENGAGE IN**
20 **THE PRACTICE OF PSYCHOLOGY** under this part if the individual was
21 granted a master's degree in psychology after January 1, 2007 but
22 before June 30, 2010 from the college, university, or institution
23 described in this subsection, the individual has continuously held
24 the temporary license described in this section since it was
25 initially granted by the board, and the disciplinary subcommittee
26 has not imposed a sanction against the individual while holding the
27 temporary license described in this section. ~~Except for duties~~

~~performed as an employee of a governmental entity or of a nonprofit organization serving benevolent and charitable purposes, the board shall place 2 limitations on a license granted to an individual under this subsection. The limitations must require supervision~~ **AN INDIVIDUAL WHO IS GRANTED A LIMITED LICENSE UNDER THIS SUBSECTION MUST BE SUPERVISED** by a psychologist who has a license other than a limited license ~~and must prohibit advertising or other representation to the public that will lead the public to believe the individual is engaging in the practice of psychology.~~ **EXCEPT WHEN THE INDIVIDUAL IS PERFORMING DUTIES AS AN EMPLOYEE OF A GOVERNMENTAL ENTITY OR OF A NONPROFIT ORGANIZATION SERVING BENEVOLENT AND CHARITABLE PURPOSES.** A limited license granted under this subsection is renewable under part 161. An individual who is applying for a limited license under this subsection must have 1 year of supervised postgraduate experience in an organized health care setting or other arrangement, as established by the **DEPARTMENT IN CONSULTATION WITH THE** board. The individual must be supervised by a psychologist who has a license other than a limited license, or if a psychologist who has a license other than a limited license is not available, by a psychologist who has at least a master's degree in psychology and at least 3 years of experience in the practice of psychology or by any other individual approved by the board.

(3) THIS SUBSECTION DOES NOT APPLY AFTER DECEMBER 31, 2020.

The board shall grant a temporary license to an individual described in subsection (2) for the purpose of obtaining the 1 year of postgraduate experience described in that subsection. Beginning

1 on March 31, 2018, a temporary license granted under this
2 subsection is valid for 24 months and may be renewed for 1
3 additional 24-month term. If an individual described in subsection
4 (2) was granted a temporary license by the board before March 31,
5 2018, his or her temporary license may be renewed for 1 additional
6 24-month term.

7 **(4) THIS SUBSECTION DOES NOT APPLY AFTER DECEMBER 31, 2020.**

8 The board shall grant a temporary license to an individual who is
9 enrolled in a doctoral degree program that meets the requirements
10 of subsection (1). Beginning on March 31, 2018, a temporary license
11 granted under this subsection is valid for 24 months and may be
12 renewed for 3 additional 24-month terms. If an individual enrolled
13 in a doctoral program that meets the requirements of subsection (1)
14 was granted a temporary license by the board before March 31, 2018,
15 his or her temporary license may be renewed for 3 additional 24-
16 month terms.

17 **(5) BEGINNING JANUARY 1, 2021, IF A TEMPORARY LICENSE GRANTED**
18 **UNDER SUBSECTION (3) OR (4) HAS AT LEAST 1 RENEWAL REMAINING, ON**
19 **THE EXPIRATION OF THE TEMPORARY LICENSE THE BOARD MAY GRANT THE**
20 **INDIVIDUAL WHO WAS GRANTED THE TEMPORARY LICENSE A LIMITED LICENSE**
21 **AS A PSYCHOLOGICAL ASSOCIATE. A LIMITED LICENSE THAT IS GRANTED**
22 **UNDER THIS SUBSECTION IS SUBJECT TO THE SAME LIMITATIONS PLACED ON**
23 **A LIMITED LICENSE UNDER SECTION 18225(1)(A) AND 18226, IS VALID FOR**
24 **24 MONTHS, AND IS RENEWABLE AS FOLLOWS:**

25 **(A) IF THE TEMPORARY LICENSE WAS GRANTED UNDER SUBSECTION (3),**
26 **THE LIMITED LICENSE IS NOT RENEWABLE.**

27 **(B) IF THE TEMPORARY LICENSE WAS GRANTED UNDER SUBSECTION (4),**

1 THE LIMITED LICENSE IS RENEWABLE FOR 2 ADDITIONAL 24-MONTH TERMS.
2 HOWEVER, IF THE TEMPORARY LICENSE WAS PREVIOUSLY RENEWED UNDER
3 SUBSECTION (4), EACH RENEWAL OF THE TEMPORARY LICENSE UNDER THAT
4 SUBSECTION COUNTS AS 1 RENEWAL OF THE LIMITED LICENSE FOR PURPOSES
5 OF THIS SUBSECTION.

6 SEC. 18225. (1) BEGINNING JANUARY 1, 2021, THE BOARD SHALL
7 GRANT A LICENSE TO ENGAGE IN THE PRACTICE OF A PSYCHOLOGICAL
8 ASSOCIATE TO AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF SECTION
9 16174 AND THE REQUIREMENTS OF SUBSECTION (2), (4), OR (5), AS
10 APPLICABLE. BOTH OF THE FOLLOWING APPLY TO A LICENSE AS A
11 PSYCHOLOGICAL ASSOCIATE:

12 (A) AN INDIVIDUAL WHO IS GRANTED A LICENSE AS A PSYCHOLOGICAL
13 ASSOCIATE UNDER THIS SECTION SHALL NOT MAKE A REPRESENTATION TO THE
14 PUBLIC THAT WILL LEAD THE PUBLIC TO BELIEVE THAT THE INDIVIDUAL IS
15 A PSYCHOLOGIST.

16 (B) AN INDIVIDUAL WHO IS GRANTED A FULL LICENSE AS A
17 PSYCHOLOGICAL ASSOCIATE UNDER SUBSECTION (4) OR (5) MAY ENGAGE IN
18 THE PRACTICE OF A PSYCHOLOGICAL ASSOCIATE WITHOUT SUPERVISION.

19 (2) THE BOARD SHALL GRANT A LIMITED LICENSE AS A PSYCHOLOGICAL
20 ASSOCIATE TO AN INDIVIDUAL WHO WAS NOT GRANTED A TEMPORARY LICENSE
21 BY THE BOARD UNDER SECTION 18223 ON OR BEFORE DECEMBER 31, 2020,
22 AND WHO MEETS EITHER OF THE FOLLOWING REQUIREMENTS:

23 (A) HOLDS A MASTER'S DEGREE IN PSYCHOLOGY FROM A REGIONALLY
24 ACCREDITED OR BOARD-APPROVED COLLEGE, UNIVERSITY, OR INSTITUTION,
25 THE PREPARATION FOR WHICH INCLUDED EDUCATION AND TRAINING
26 APPROPRIATE TO ENGAGE IN THE PRACTICE OF A PSYCHOLOGICAL ASSOCIATE.

27 (B) HAS PROVIDED THE BOARD WITH A STATEMENT VERIFYING THAT HE

1 OR SHE HAS MET THE REQUIREMENTS FOR A MASTER'S DEGREE FROM A
2 REGIONALLY ACCREDITED OR BOARD-APPROVED COLLEGE, UNIVERSITY, OR
3 INSTITUTION, THE PREPARATION FOR WHICH INCLUDED EDUCATION AND
4 TRAINING APPROPRIATE TO ENGAGE IN THE PRACTICE OF A PSYCHOLOGICAL
5 ASSOCIATE, AND HE OR SHE IS ENROLLED IN A DOCTORAL PROGRAM THAT
6 MEETS THE REQUIREMENTS OF SECTION 18223(1).

7 (3) THE FOLLOWING APPLY TO A LIMITED LICENSE GRANTED UNDER
8 SUBSECTION (2):

9 (A) THE INDIVIDUAL WHO IS GRANTED THE LIMITED LICENSE SHALL
10 ONLY ENGAGE IN THE PRACTICE OF PSYCHOLOGICAL ASSOCIATE UNDER THE
11 SUPERVISION OF A PSYCHOLOGIST. HOWEVER, IF A PSYCHOLOGIST IS NOT
12 AVAILABLE, THE BOARD MAY AUTHORIZE A PSYCHOLOGICAL ASSOCIATE WHO
13 MEETS ALL OF THE FOLLOWING REQUIREMENTS TO PROVIDE THE SUPERVISION
14 REQUIRED UNDER THIS SUBDIVISION:

15 (i) HE OR SHE HOLDS A LICENSE OTHER THAN A LIMITED LICENSE.

16 (ii) HE OR SHE HAS AT LEAST 3 YEARS OF EXPERIENCE AS A FULLY
17 LICENSED PSYCHOLOGICAL ASSOCIATE.

18 (iii) HE OR SHE HAS NOT BEEN SUBJECT TO DISCIPLINARY ACTION
19 UNDER SECTION 16226 FOR A PERIOD OF AT LEAST 3 YEARS BEFORE
20 PROVIDING THE SUPERVISION REQUIRED UNDER THIS SUBDIVISION.

21 (B) THE LIMITED LICENSE IS VALID FOR 2 YEARS AND, SUBJECT TO
22 SUBDIVISION (C), IS RENEWABLE AS FOLLOWS:

23 (i) FOR AN INDIVIDUAL DESCRIBED IN SUBSECTION (2)(A), FOR 1
24 ADDITIONAL 2-YEAR PERIOD.

25 (ii) FOR AN INDIVIDUAL DESCRIBED IN SUBSECTION (2)(B), FOR 3
26 ADDITIONAL 2-YEAR PERIODS.

27 (C) THE BOARD MAY RENEW A LIMITED LICENSE GRANTED UNDER

1 SUBSECTION (2) FOR 1 ADDITIONAL 2-YEAR PERIOD IF THE INDIVIDUAL
2 DEMONSTRATES TO THE SATISFACTION OF THE BOARD THAT, DUE TO A
3 HARDSHIP, THE INDIVIDUAL NEEDS TIME BEYOND THE TIME DESCRIBED IN
4 SUBDIVISION (B) TO FULFILL THE REQUIREMENTS FOR INITIAL LICENSURE
5 AS A PSYCHOLOGICAL ASSOCIATE UNDER SUBSECTION (4) OR A
6 PSYCHOLOGIST.

7 (4) THE BOARD SHALL GRANT A FULL LICENSE AS A PSYCHOLOGICAL
8 ASSOCIATE TO AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING
9 REQUIREMENTS:

10 (A) HE OR SHE HOLDS A MASTER'S DEGREE IN PSYCHOLOGY FROM A
11 REGIONALLY ACCREDITED OR BOARD-APPROVED COLLEGE, UNIVERSITY, OR
12 INSTITUTION, THE PREPARATION FOR WHICH INCLUDED EDUCATION AND
13 TRAINING APPROPRIATE TO ENGAGE IN THE PRACTICE OF A PSYCHOLOGICAL
14 ASSOCIATE.

15 (B) HE OR SHE HAS AT LEAST 4,000 HOURS OF SUPERVISED
16 EXPERIENCE IN THE PRACTICE OF A PSYCHOLOGICAL ASSOCIATE AS
17 DESCRIBED IN SUBSECTION (3) (A) IN AN ORGANIZED HEALTH CARE SETTING
18 OR OTHER ARRANGEMENT, AS ESTABLISHED BY THE DEPARTMENT IN
19 CONSULTATION WITH THE BOARD.

20 (C) HE OR SHE HAS PASSED AN EXAMINATION FOR PROFESSIONAL
21 PRACTICE IN PSYCHOLOGY THAT IS APPROVED BY THE BOARD.

22 (5) THE BOARD SHALL GRANT A FULL LICENSE AS A PSYCHOLOGICAL
23 ASSOCIATE TO AN INDIVIDUAL WHO HELD A LIMITED LICENSE UNDER SECTION
24 18223(2) ON DECEMBER 31, 2020 AND WHO MAINTAINED THE LIMITED
25 LICENSE IN GOOD STANDING THROUGH THE EFFECTIVE DATE OF THE
26 AMENDATORY ACT THAT ADDED THIS SECTION.

27 SEC. 18226. THE DEPARTMENT, IN CONSULTATION WITH THE BOARD,

1 SHALL PROMULGATE RULES ON ADMINISTERING, PRODUCING, OR DISTRIBUTING
2 WRITTEN OR VERBAL PSYCHOMETRIC ASSESSMENTS, EVALUATIONS, OR
3 REPORTS, OR DOCUMENTING OR DISTRIBUTING THE PSYCHOMETRIC
4 ASSESSMENTS, EVALUATIONS, OR REPORTS IN A CLINICAL RECORD BY AN
5 INDIVIDUAL WHO IS GRANTED A LICENSE TO ENGAGE IN THE PRACTICE OF A
6 PSYCHOLOGICAL ASSOCIATE UNDER THIS PART. AN INDIVIDUAL LICENSED AS
7 A PSYCHOLOGICAL ASSOCIATE MAY ONLY USE NONPSYCHOMETRIC INTAKE
8 ASSESSMENT TOOLS, INCLUDING, BUT NOT LIMITED TO, CHECKLISTS AND
9 SYMPTOM RATING SCALES PURSUANT TO RULES PROMULGATED BY THE
10 DEPARTMENT IN CONSULTATION WITH THE BOARD.

11 Sec. 18233. (1) In addition to the requirements of part 161,
12 the **DEPARTMENT, IN CONSULTATION WITH THE** board, may ~~require~~
13 **PROMULGATE RULES REQUIRING THAT** a licensee seeking renewal of a
14 license ~~to~~ **MUST** furnish the board with satisfactory evidence that
15 during the 2 years immediately preceding application for renewal
16 the licensee ~~has~~ attended continuing education courses or programs
17 **THAT ARE DESIGNED TO FURTHER EDUCATE LICENSEES AND ARE** approved by
18 the board. ~~totaling not less than a~~ **THE DEPARTMENT, IN CONSULTATION**
19 **WITH THE BOARD, MAY PROMULGATE RULES ESTABLISHING THE MINIMUM**
20 number of hours ~~established by rule of the board in~~ **OF** subjects
21 ~~related to the practice of psychology and designed to further~~
22 ~~educate licensees.~~ **FOR CONTINUING EDUCATION COURSES OR PROGRAMS**
23 **REQUIRED UNDER THIS SUBSECTION.**

24 (2) ~~As required under section 16204, the~~ **THE DEPARTMENT, IN**
25 **CONSULTATION WITH THE** board, shall promulgate rules requiring each
26 applicant for license renewal to complete as part of the continuing
27 education requirement of subsection (1) an appropriate number of

1 hours or courses in pain and symptom management.

2 SEC. 18236. THE AMENDMENTS TO THIS PART MADE BY THE AMENDATORY
3 ACT THAT ADDED THIS SECTION DO NOT REQUIRE NEW OR ADDITIONAL THIRD-
4 PARTY REIMBURSEMENT OR MANDATED WORKER'S COMPENSATION BENEFITS FOR
5 SERVICES RENDERED BY AN INDIVIDUAL WHO IS LICENSED AS A
6 PSYCHOLOGICAL ASSOCIATE UNDER THIS PART.

7 Sec. 18237. A ~~psychologist licensed or allowed to use that~~
8 ~~title~~-**LICENSEE** under this part or an individual under his or her
9 supervision cannot be compelled to disclose confidential
10 information acquired from an individual consulting the ~~psychologist~~
11 **LICENSEE** in his or her professional capacity if the information is
12 necessary to enable the ~~psychologist~~-**LICENSEE** to render services.
13 Information may be disclosed with the consent of the individual
14 consulting the ~~psychologist~~, **LICENSEE**, or if the individual
15 consulting the ~~psychologist~~-**LICENSEE** is a minor, with the consent
16 of the minor's guardian, pursuant to section 16222 if the
17 ~~psychologist~~-**LICENSEE** reasonably believes it is necessary to
18 disclose the information to comply with section 16222, or under
19 section 16281. In a contest on the admission of a deceased
20 individual's will to probate, an heir at law of the decedent,
21 whether a proponent or contestant of the will, and the personal
22 representative of the decedent may waive the privilege created by
23 this section.

24 Enacting section 1. This amendatory act takes effect 90 days
25 after the date it is enacted into law.