

**SUBSTITUTE FOR
HOUSE BILL NO. 5785**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 18221, 18223, 18233, and 18237 (MCL 333.18221,
333.18223, 333.18233, and 333.18237), section 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.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 18221. (1) The Michigan board of psychology is created in
2 the department. ~~and shall consist~~ **Except as otherwise provided in**
3 **subsection (2), the board consists** of the following 9 voting
4 members who ~~shall~~ **must** meet the requirements of part 161: 5
5 psychologists, including at least 1 nondoctoral psychologist, and 4

1 public members. ~~Section 1212 does not apply to this board.~~

2 (2) Beginning after the effective date of the amendatory act
3 that added this subsection, all of the following apply to the board
4 described in subsection (1):

5 (a) The 4 public members shall continue in office for the
6 remainder of their respective terms. When the term of office of the
7 first public member expires, the governor shall not appoint a
8 public member to fill that position but shall instead, subject to
9 part 161, appoint 1 psychologist who holds a license under section
10 18223(1) to fill the position, thereby reducing the total number of
11 public members on the board to 3 and increasing the number of
12 psychologists who hold a license under section 18223(1) to 5.

13 (b) The governor shall, subject to part 161, appoint 2
14 psychologists who hold a limited license under section 18223(3) to
15 the board, thereby increasing the total number of psychologists who
16 hold limited licenses on the board to 3 and the total number of
17 voting members on the board to 11.

18 (3) ~~(2)~~The terms of office of individual members of the board
19 created under this section, except those appointed to fill
20 vacancies, expire 4 years after appointment on December 31 of the
21 year in which the term expires.

22 (4) Section 1212 does not apply to the board.

23 Sec. 18223. (1) The department, in consultation with the
24 board, shall promulgate rules ~~requiring that to be~~ require an
25 individual who is granted a license under this part to engage in
26 the practice of psychology to, except as provided in subsection
27 ~~(2), an individual must~~ this section, meet both of the following
28 requirements:

29 (a) ~~Have~~ Has been granted a doctoral degree in psychology, or

1 a doctoral degree in a closely related field, from a doctoral
2 degree program that meets all of the following requirements:

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

6 (ii) Has obtained the Association of State and Provincial
7 Psychology Boards' national register designation, has been
8 accredited by the American Psychological Association or the
9 Canadian Psychological Association, or has obtained a similar
10 designation from or been accredited by an entity approved by the
11 board. ~~However, a program that is in the process of obtaining the
12 designation or becoming accredited as required in this subparagraph
13 before August 1, 2011, and that obtains the designation or becomes
14 accredited on or before August 31, 2020, meets the requirements of
15 this subparagraph.~~

16 (b) ~~Have~~ **Has** not less than 1 year of postdoctoral experience
17 in the practice of psychology in an organized health care setting
18 or other arrangement, as established by the board.

19 (2) In addition to section 16182, the board shall grant a
20 limited license to **engage in the practice of psychology to** an
21 individual ~~granted~~ **who has** a master's degree in psychology from a
22 regionally accredited college, ~~or~~ university, or institution
23 approved by the board, if the individual has education, training,
24 and experience appropriate to the practice of psychology, as
25 established by the board. ~~An individual who applies for an initial
26 limited license under this subsection before March 31, 2018 is not
27 required to take an examination that is approved by the board to be
28 granted a limited license under this part if the individual was
29 granted a master's degree in psychology after January 1, 2007 but~~

1 ~~before June 30, 2010 from the college, university, or institution~~
2 ~~described in this subsection, the individual has continuously held~~
3 ~~the temporary license described in this section since it was~~
4 ~~initially granted by the board, and the disciplinary subcommittee~~
5 ~~has not imposed a sanction against the individual while holding the~~
6 ~~temporary license described in this section.~~ Except for duties
7 performed as an employee of a governmental entity or of a nonprofit
8 organization serving benevolent and charitable purposes, the board
9 shall place 2 limitations on a **limited** license granted to an
10 individual under this subsection. The limitations must require
11 supervision by a psychologist who has a license other than a
12 limited license and must prohibit advertising or other
13 representation to the public that will lead the public to believe
14 the individual is engaging in the practice of psychology. A limited
15 license granted under this subsection is renewable under part 161.
16 An individual who is applying for a limited license under this
17 subsection must have 1 year of supervised postgraduate experience
18 in an organized health care setting or other arrangement, as
19 established by the board. The ~~individual~~ **postgraduate experience**
20 **described in this subsection** must be supervised by a psychologist
21 who has a license other than a limited license, or if a
22 psychologist who has a license other than a limited license is not
23 available, by a psychologist who has at least a master's degree in
24 psychology and at least 3 years of experience in the practice of
25 psychology or by any other individual approved by the board. **This**
26 **subsection does not apply beginning on the effective date of the**
27 **2024 amendatory act that added subsection (3).**

28 **(3) Beginning on the effective date of the 2024 amendatory act**
29 **that added this subsection, in addition to section 16182, the board**

1 shall grant a limited license to engage in the practice of
2 psychology to an individual who has been granted a master's degree
3 in psychology from a regionally accredited college, university, or
4 institution approved by the board, if the individual has education,
5 training, and experience appropriate to the practice of psychology,
6 as established by the board. Except as otherwise provided in this
7 subsection, an individual who is applying for a limited license
8 under this subsection who is granted a master's degree in
9 psychology before August 31, 2026, must have 2 years, totaling not
10 less than 3,000 hours, of supervised postgraduate experience, and
11 an individual who is granted a master's degree in psychology on or
12 after August 31, 2026, must have 2 years, totaling not less than
13 4,000 hours, of supervised postgraduate experience. An individual
14 who is obtaining the supervised postgraduate experience described
15 in subsection (2) on or immediately before the effective date of
16 the 2024 amendatory act that added this subsection must have 1 year
17 of supervised postgraduate experience to be granted a limited
18 license under this subsection. The postgraduate experience
19 described in this subsection must be completed in an organized
20 health care setting or other arrangement, as established by the
21 board, and must be supervised by a psychologist who is granted a
22 license under subsection (1) or, if a psychologist who is granted a
23 license under subsection (1) is not available, by a psychologist
24 who has at least a master's degree in psychology and at least 3
25 years of experience in the practice of psychology or by any other
26 individual approved by the board. An individual who is granted a
27 limited license under this subsection may engage in the practice of
28 psychology without supervision and shall perform an act, task, or
29 function within the practice of psychology for which the individual

1 is qualified by education, training, or experience. An individual
 2 who holds a limited license under this subsection shall not
 3 perform, offer to perform, or represent that the individual is
 4 qualified to perform any of the acts, tasks, or functions within
 5 the scope of practice of psychology that the individual is not
 6 qualified by education, training, or experience to perform, or that
 7 the individual is otherwise prohibited by law from performing. An
 8 individual who holds a limited license under subsection (2) on the
 9 effective date of the 2024 amendatory act that added this
 10 subsection is considered to hold a limited license under this
 11 subsection and is not subject to the limitations on the license as
 12 described in subsection (2).

13 (4) ~~(3)~~—The board shall grant a temporary license to an
 14 individual described in subsection (2) **or (3)** for the purpose of
 15 obtaining the ~~1 year of~~ postgraduate experience described in ~~that~~
 16 ~~subsection. Beginning on March 31, 2018, a~~ **subsection (2) or (3).** A
 17 temporary license granted under this subsection is valid for 24
 18 months and may be renewed for ~~1–2~~ additional 24-month ~~term.~~ **terms.**
 19 If an individual described in subsection (2) was granted a
 20 temporary license by the board before March 31, 2018, ~~his or her~~
 21 **the individual's** temporary license may be renewed for 1 additional
 22 24-month term.

23 (5) ~~(4)~~—The board shall grant a temporary license to an
 24 individual who is enrolled in a doctoral degree program that meets
 25 the requirements of subsection (1). Beginning on March 31, 2018, a
 26 temporary license granted under this subsection is valid for 24
 27 months and may be renewed for 3 additional 24-month terms. If an
 28 individual enrolled in a doctoral program that meets the
 29 requirements of subsection (1) was granted a temporary license by

1 the board before March 31, 2018, ~~his or her~~ **the individual's**
2 temporary license may be renewed for 3 additional 24-month terms.

3 Sec. 18233. (1) In addition to the requirements of part 161,
4 the board ~~may~~ **shall** require a licensee seeking renewal of a license
5 to furnish the board with satisfactory evidence that during the 2
6 years immediately preceding application for renewal, the licensee
7 has attended continuing education courses or programs approved by
8 the board totaling not less than a number of hours established by
9 rule of the board in subjects related to the practice of psychology
10 and designed to further educate licensees.

11 (2) As required under section 16204, the board shall
12 promulgate rules requiring each applicant for license renewal to
13 complete as part of the continuing education requirement of
14 subsection (1) an appropriate number of hours or courses in pain
15 and symptom management.

16 Sec. 18237. A psychologist ~~licensed or allowed to use that~~
17 ~~title under this part or an individual under his or her supervision~~
18 cannot be compelled to disclose confidential information acquired
19 from an individual consulting the psychologist in ~~his or her~~ **the**
20 **psychologist's** professional capacity if the information is
21 necessary to enable the psychologist to render services.
22 Information may be disclosed with the consent of the individual
23 consulting the psychologist, or if the individual consulting the
24 psychologist is a minor, with the consent of the minor's guardian,
25 pursuant to section 16222 if the psychologist reasonably believes
26 it is necessary to disclose the information to comply with section
27 16222, or under section 16281. In a contest on the admission of a
28 deceased individual's will to probate, an heir at law of the
29 decedent, whether a proponent or contestant of the will, and the

- 1 personal representative of the decedent may waive the privilege
- 2 created by this section.