

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Senator Bradford

# A Bill

SENATE BILL 698

## For An Act To Be Entitled

"AN ACT TO PROVIDE FOR AN ADDITIONAL PSYCHOLOGICAL  
EXAMINER TO SERVE ON THE BOARD OF EXAMINERS IN PSYCHOLOGY  
WHEN THE TERM OF OFFICE OF AN ACADEMIC PSYCHOLOGIST  
EXPIRES; AND FOR OTHER PURPOSES."

## Subtitle

"TO PROVIDE FOR AN ADDITIONAL  
PSYCHOLOGICAL EXAMINER TO SERVE ON THE  
BOARD OF EXAMINERS IN PSYCHOLOGY WHEN  
THE TERM OF OFFICE OF AN ACADEMIC  
PSYCHOLOGIST EXPIRES."

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

SECTION 1. Arkansas Code 17-96-102(a) is amended to read as follows:

"(a) Unless the context otherwise requires, two (2) levels of  
psychological practice are defined for the purpose of this chapter. The  
levels are to be known and are referred to as psychological examiner and  
psychologist:

(1) A person practices as a psychological examiner within the  
meaning of this chapter when he holds himself out to be a psychological  
examiner, or renders to individuals or to the public for remuneration any  
service involving the application of recognized principles, methods, and  
procedures of the science and profession of psychology. Psychological  
examiners independently provide services such as interviewing or  
administering and interpreting tests of mental abilities, aptitudes,  
interests and personality characteristics, for *the purposes of* psychological

1 evaluation to assist in the determination of educational or vocational  
2 selection, guidance, or placement. The psychological examiner practices *the*  
3 *following only under the supervision of a qualified psychologist:* overall  
4 personality appraisal, including projective and objective testing  
5 classification of mental health disorders, personality counseling,  
6 psychotherapy, neuropsychological evaluation or personality readjustment  
7 techniques;

8           (2) A person practices as a psychologist within the meaning of  
9 this chapter when he holds himself out to be a psychologist, or renders to  
10 individuals or to the public for remuneration any service involving the  
11 application of recognized principles, methods, and procedures of the science  
12 and profession of psychology, such as interviewing or administering and  
13 interpreting tests of mental abilities, aptitudes, interests, and personality  
14 characteristics, for such purposes as psychological evaluation or for  
15 educational or vocational selection, guidance, or placement, or for such  
16 purposes as overall personality appraisal or classification, personality  
17 counseling, psychotherapy, personality readjustment or neuropsychological  
18 evaluation."

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20           SECTION 2. Arkansas Code 17-96-201(a) is amended to read as follows:

21           "(a) There is created the Arkansas Board of Examiners in Psychology,  
22 which shall consist of eight (8) members who shall be appointed by the  
23 Governor for terms of five (5) years.

24           (1) The Governor shall appoint:

25                   (A) Two (2) academic psychologists engaged in full time  
26 teaching, except that when a vacancy arises in an academic psychologist  
27 position after March 1, 1995, that academic psychologist position is  
28 abolished, and thereafter, an additional psychological examiner engaged in  
29 the full time practice of psychology shall be appointed to the board;

30                   (B) Three practicing psychologists engaged in full time  
31 practice of psychology;

32                   (C) One psychological examiner engaged in full time  
33 practice of psychology, except that as provided in paragraph (A) above, when  
34 a vacancy arises in an academic psychologist position after March 1, 1995,  
35 that academic psychologist position is abolished, and thereafter, an

1 additional psychological examiner engaged in the full time practice of  
2 psychology shall be appointed to the board, and from then on, two (2)  
3 psychological examiners shall serve on the board; and

4 (D) Two persons who are not actively engaged in or retired  
5 from the practice of psychology.

6 (2) The academic psychologists, practicing psychologists and  
7 psychological examiners shall be appointed from a list of nominees provided  
8 by the Arkansas Psychological Association, the Arkansas Association of  
9 Psychological Examiners and any other list which has attached thereto the  
10 signatures of at least twenty (20) licensed psychologists or psychological  
11 examiners. Each nomination shall be transmitted to the Governor within  
12 twenty (20) days after a vacancy occurs. The Governor may disregard the  
13 nominees whose names were not transmitted prior to the expiration of the  
14 twenty (20) day period. Of the two members appointed pursuant to (a)(1)(D),  
15 one (1) member shall represent consumers, and one (1) member shall be sixty  
16 (60) years of age or older and shall represent the elderly. Both shall be  
17 appointed from the state at large subject to confirmation by the Senate. The  
18 two (2) positions may not be held by the same person. Both shall be full  
19 voting members but shall not participate in the grading of examinations. Any  
20 public member appointed under (a)(1)(D) after the effective date of this 1995  
21 act must be an Arkansas resident and must have resided in Arkansas for at  
22 least five years immediately preceding appointment. Furthermore, such person  
23 must never have been a psychologist or psychological examiner, an applicant  
24 or former applicant for licensure as a psychologist or psychological  
25 examiner, a member of another mental health profession, a member of a  
26 household that includes a psychologist or psychological examiner or otherwise  
27 have conflicts of interest or the appearance of conflicts with his or her  
28 duties as a board member.

29 (3) Each psychologist and psychological examiner appointed to  
30 the board after the effective date of this 1995 act must reside within the  
31 state of Arkansas, hold a current valid license to practice and must have  
32 been licensed to practice psychology in Arkansas for at least five years  
33 immediately preceding their appointment to the board. At the time of  
34 appointment each such member must be free of any conflict of interest and the  
35 appearance of any conflict with his or her duties as a member of the board.

1           (4) The governor shall fill all vacancies on the board within  
2 thirty (30) days after the vacancy occurs. The Arkansas Psychological  
3 Association, the Arkansas Association of Psychological Examiners and other  
4 interested licensed psychologists and psychological examiners shall transmit  
5 their nominees to the governor no later than forty (40) days prior to the  
6 expiration of board members\_ terms and the governor shall, at least thirty  
7 (30) days before the expiration of the term of any board member, appoint the  
8 person to replace the board member when the term expires. The governor may  
9 disregard the nominees of any association which fails to transmit the names  
10 of the nominees at least forty (40) days prior to the expiration of the term  
11 of office."

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13           SECTION 3. Arkansas Code 17-96-202(c) is amended to read as follows:

14           "(c) A majority of the members of the board shall at all times  
15 constitute a quorum."

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17           SECTION 4. All provisions of this act of a general and permanent  
18 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
19 Code Revision Commission shall incorporate the same in the Code.

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21           SECTION 5. If any provision of this act or the application thereof to  
22 any person or circumstance is held invalid, such invalidity shall not affect  
23 other provisions or applications of the act which can be given effect without  
24 the invalid provision or application, and to this end the provisions of this  
25 act are declared to be severable.

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27           SECTION 6. All laws and parts of laws in conflict with this act are  
28 hereby repealed.

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*/s/Bradford*

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