

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 32

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE BOARD OF PSYCHOLOGIST EXAMINERS; AMENDING SECTION 54-2305, IDAHO CODE, TO PROVIDE THAT THE BOARD SHALL HAVE THE POWER TO ESTABLISH BY RULE THE STANDARDS AND REQUIREMENTS FOR THE USE OF COMMUNICATION TECHNOLOGY IN THE PRACTICE OF PSYCHOLOGY, INCLUDING SUPERVISION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-2305, Idaho Code, be, and the same is hereby amended to read as follows:

54-2305. BOARD OF PSYCHOLOGIST EXAMINERS -- POWERS. The board of psychologist examiners shall have the following powers:

(1) To pass upon the qualifications and fitness of applicants for licenses and reciprocal licenses; and, at its option to adopt and revise rules requiring applicants to pass examinations relating to their qualifications as a prerequisite to the issuance of licenses.

(2) To adopt, and, from time to time, revise such rules in accordance with the provisions of chapter 52, title 67, Idaho Code, and not inconsistent with the law as may be necessary to carry into effect the provisions of this chapter. Such rules shall include, but need not be limited to, a code of ethics for psychologists in the state consistent with the current, and as future amended, ethical standards for psychologists of the American psychological association and the educational and professional qualifications of applicants for licensing under this chapter.

(3) To examine for, deny, approve, issue, revoke, suspend and renew the licenses of psychologists and psychologist applicants pursuant to this chapter, and to conduct hearings in connection therewith.

(4) To conduct hearings upon complaints concerning violations of the provisions of, and the rules adopted pursuant to, this chapter and cause the prosecution and enjoinder of all such violations.

(5) The board, or its duly appointed hearing officer, shall have the power in any disciplinary proceeding under this chapter, to administer oaths, take depositions of witnesses within or without the state in the manner provided by law in civil cases, and may apply to any district court of this state for a subpoena to require the attendance of such witnesses and the production of such books, records, and papers as it deems necessary. The fees and mileage of the witnesses shall be the same as that allowed in district courts in criminal cases, which fees and mileage shall be paid in the same manner as other expenses of the board are paid. In any case of disobedience to, or neglect of, any subpoena or subpoena duces tecum served upon any person, or the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated. It shall be the duty of any district court in this state, on application by the board, to compel compliance with the subpoena by proceedings for contempt, as in the case of disobedience of

1 the requirements of the subpoena issued from such court for refusal to tes-
2 tify therein. The licensed person accused in such proceedings shall have the
3 same right of subpoena.

4 (6) Proceedings before the board and judicial review of the action of
5 the board shall be governed by the provisions of chapter 52, title 67, Idaho
6 Code.

7 (7) To authorize, by written agreement, the bureau of occupational li-
8 censes as agent to act in its interest.

9 (8) To adopt a rule requiring continuing education as a condition of
10 continued licensure.

11 (9) To adopt rules allowing for a temporary permit to individuals li-
12 censed as psychologists in another state authorizing such individuals to
13 practice psychology in Idaho for a period not to exceed thirty (30) days pur-
14 suant to such terms and requirements as set forth in the rules.

15 (10) To establish by rule an inactive license status.

16 (11) To establish by rule the standards and requirements for the use of
17 communication technology in the practice of psychology, including supervi-
18 sion.