

Stricken language would be deleted from and underlined language would be added to present law.
Act 573 of the Regular Session

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: H2/2/23 H4/3/23
A Bill

HOUSE BILL 1173

By: Representatives Evans, *Wooldridge, L. Johnson*

By: Senator K. Hammer

For An Act To Be Entitled

AN ACT TO REPEAL THE PROHIBITION ON LICENSING NEW
PSYCHOLOGICAL EXAMINERS; AND FOR OTHER PURPOSES.

Subtitle

TO REPEAL THE PROHIBITION ON LICENSING
NEW PSYCHOLOGICAL EXAMINERS.

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

SECTION 1. Arkansas Code § 17-97-102(a)(2), concerning the definition of "psychological examiner", is amended to read as follows:

(2)(A) "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:

~~(i)(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 determination of diagnosis of mental health disorders or educational or vocational selection, guidance, or placement; or

~~(ii)(B)~~ Only under the supervision of a qualified psychologist if the service is not listed in subdivision (a)(2)(A)~~(i)~~ of this section;

~~(B)(i) A psychological examiner licensed before December 31, 1997, shall be granted independent practice except in neuropsychological assessment and projective personality assessment upon the Arkansas Psychology~~



~~Board's receiving a letter requesting independent practice and a revised statement of intent.~~

~~(ii) Additional hours of clinical supervision are not required for a license granted under subdivision (a)(2)(B)(i) of this section.~~

~~(C) A psychological examiner licensed after December 31, 1997, is privileged to practice independently except in neuropsychological assessment and projective personality assessment, if the person:~~

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

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

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

~~(D) After December 31, 2013, a new psychological examiner license shall not be issued; and~~

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

(4) "Forensic psychological assessment" means the practice of psychology when applied to scientific, technical, or specialized knowledge of psychology to the law to assist in addressing legal, contractual, and administrative matters, including without limitation:

(A) Fitness to proceed evaluations;

(B) Criminal responsibility and culpable mental state evaluations;

(C) Hearings related to eligibility for death penalty for a person with an intellectual disability;

(D) Mitigation evaluations;

(E) Evaluations concerning a person's capacity to waive Miranda rights;

(F) Civil damages, personal injury, disability, and worker's compensation evaluations;

(G) Parental fitness and child custody evaluations;
(H) Evaluations related to guardianship and testamentary capacity; and
(I) Evaluation concerning juvenile transfers and waivers hearings.

SECTION 3. Arkansas Code § 17-97-303(d), concerning the application and qualifications of psychological examiners, is amended to read as follows:

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

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

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

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

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

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

~~(3) After December 31, 2013, no new psychological examiner license shall be issued~~ A psychological examiner licensed after December 31, 2024, shall not be granted independent practice status if he or she submits an application to the board for independent practice.

/s/Evans

APPROVED: 4/11/23