

LIMITED LICENSED PSYCHOLOGISTS

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House Bill 5785 as introduced
Sponsor: Rep. Felicia Brabec
Committee: Health Policy
Complete to 11-7-24

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5785 would amend the Public Health Code to do all of the following:

- Change criteria regarding limited licenses to practice psychology (notably by requiring longer supervised postgraduate experience to apply for a limited license and removing supervision requirements for a person practicing under a limited license).
- Change the composition of the Michigan Board of Psychology to include more limited license psychologists and fewer public members.
- Limit an existing confidentiality provision to apply only to a psychologist who is supervising an individual granted a temporary limited license while they get required postgraduate experience.

Limited license to practice psychology

To have a license to practice psychology in Michigan, a person must have an appropriate doctoral degree in psychology or a closely related field and at least one year of qualifying postdoctoral experience in the practice of psychology.

A person with a master's degree can get a limited license to practice psychology if they have one year of supervised postgraduate experience¹ and meet appropriate education, training, and experience requirements as established by the Michigan Board of Psychology. Currently, except for duties performed as an employee of a government entity or charitable or benevolent nonprofit organization, the holder of a limited license must be supervised by the holder of a doctoral (or "full") license and cannot represent themselves as being engaged in the practice of psychology (i.e., under a doctoral license).

The bill would instead require an applicant for a limited license to have at least two years of supervised postgraduate experience (totaling at least 4,000 hours). A person granted a limited license could practice without supervision and do anything within the practice of psychology that they are qualified to do because of their education, training, or experience. They could not represent themselves as able to do anything in the practice of psychology that they are not so qualified to do or are prohibited from doing. (Current holders of limited licenses would be subject to these provisions, and not the current provisions, when the bill takes effect.)

Under both current law and the bill, a person can be issued a temporary limited license to practice psychology that will allow them to perform supervised postgraduate work in order to get the experience required to apply for a limited license as described above.

¹ Under both current law and the bill, supervision of postgraduate experience would have to be conducted by a licensed "full" psychologist or, if one is not available, by either the holder of a master's degree with at least three years of practice experience or another individual approved by the Michigan Board of Psychology.

Michigan Board of Psychology

Among other things, the Michigan Board of Psychology determines the minimal entry level competency of those licensed to practice psychology and takes disciplinary action against licensees as needed. The board currently consists of nine members: five psychologists (one of whom holds a limited license) and four members of the public.

The bill would provide for the two public members whose terms expire the soonest after the bill is enacted to be replaced with two limited license psychologists. The composition of the board would then be seven psychologists (three of whom hold a limited license) and two members of the public.

The public member whose term is the third to expire after the bill is enacted would be replaced by a licensed “full” psychologist. The composition of the board would then be eight psychologists (three of whom hold a limited license) and one member of the public.

Members of the board are appointed by the governor to four-year terms that expire on December 31.

Confidentiality

With some exceptions, the law current provides that a licensed (“full”) psychologist or anyone under their supervision (that is, the holder of a limited license or temporary limited license) cannot be compelled to disclose confidential information acquired from an individual consulting the psychologist in a profession capacity if the information is necessary to allow the psychologist to provide services.

Under the bill, this protection against being compelled to disclose patient information would apply only to a licensed (“full”) psychologist who is supervising the holder of a temporary limited license to gain postgraduate experience to apply for a limited license. It would appear to no longer apply under the code to licensed psychologists generally, to limited license psychologists, or to temporary limited license psychologists.

MCL 333.18221 et seq.

FISCAL IMPACT:

House Bill 5785 would have an indeterminate fiscal impact on the Department of Licensing and Regulatory Affairs. The bill would make changes to the requirements for limited psychology licenses, but the overall impact that these changes would have on the volume of licenses is indeterminate. LARA assesses a fee of \$204 to cover the initial application fee and a two-year license fee, a fee of \$224 for relicensure, and a fee of \$143.40 for license renewal. The bill would not have a fiscal impact on any other units of state or local government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.