

## CHAPTER 70.

[ House Bill No. 315. ]

## PSYCHOLOGISTS.

AN ACT relating to psychologists; amending section 1, chapter 305, Laws of 1955 and RCW 18.83.010; amending section 2, chapter 305, Laws of 1955 and RCW 18.83.020; amending section 3, chapter 305, Laws of 1955 and RCW 18.83.030; amending section 4, chapter 305, Laws of 1955 and RCW 18.83.040; amending section 5, chapter 305, Laws of 1955 and RCW 18.83.050; amending section 6, chapter 305, Laws of 1955 and RCW 18.83.060; amending section 7, chapter 305, Laws of 1955 and RCW 18.83.070; amending section 8, chapter 305, Laws of 1955 and RCW 18.83.080; amending section 9, chapter 305, Laws of 1955 and RCW 18.83.090; amending section 10, chapter 305, Laws of 1955 and RCW 18.83.100; amending section 11, chapter 305, Laws of 1955 and RCW 18.83.110; amending section 13, chapter 305, Laws of 1955 and RCW 18.83.120; amending section 12, chapter 305, Laws of 1955 and RCW 18.83.130; amending section 14, chapter 305, Laws of 1955 and RCW 18.83.140; amending section 15, chapter 305, Laws of 1955 and RCW 18.83.150; amending section 16, chapter 305, Laws of 1955 and RCW 18.83.160; amending section 17, chapter 305, Laws of 1955 and RCW 18.83.170; amending section 18, chapter 305, Laws of 1955 and RCW 18.83.180; adding new sections to chapter 305, Laws of 1955 and to chapter 18.83 RCW; and defining crimes and providing penalties.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. Section 1, chapter 305, Laws of 1955 and RCW 18.83.010 are each amended to read as follows:

RCW 18.83.010 amended.

When used in this chapter:

Psychologists.  
Definitions.

(1) The "practice of psychology" means the application of established principles of learning, motivation, perception, thinking and emotional relationships to problems of evaluation, group relations and behavior adjustment, including but not limited to: (a) counseling and guidance; (b) use of psychotherapeutic techniques with clients who have adjustment problems in the family, at school, at work or in inter-

Psychologists.  
Definitions.

personal relationships; (c) measuring and testing of personality, intelligence, aptitudes, emotions, public opinion, attitudes and skills.

This definition does not include the teaching of principles of psychology for accredited educational institutions, or the conduct of research in problems of human or animal behavior.

Nothing in this definition shall be construed as permitting the administration or prescribing of drugs or in any way infringing upon the practice of medicine and surgery as defined in chapter 18.71 RCW.

(2) "Director" means director of licenses.

(3) "Board" means the board of psychologist examiners created by this chapter.

RCW 18.83.020  
amended.

SEC. 2. Section 2, chapter 305, Laws of 1955 and RCW 18.83.020 are each amended to read as follows:

License  
required.

(1) To safeguard the people of the state of Washington from the dangers of unqualified and improper practice of psychology, it shall be unlawful for any person unless exempted from the provisions of this chapter, to represent himself to be a psychologist without first obtaining a license as provided in this chapter.

(2) A person represents himself to be a psychologist when he adopts or uses any title or any description of services which incorporates one or more of the following terms: "psychology," "psychological," "psychologist," or any term of like import.

RCW 18.83.030  
amended.

SEC. 3. Section 3, chapter 305, Laws of 1955 and RCW 18.83.030 are each amended to read as follows:

Examining  
board.

There is hereby created an examining board of psychology, hereinafter referred to as the board, which shall be charged with the duty of examining the qualifications of applicants for licensing. The board shall consist of five persons appointed by the director. Each member of the board shall be a citizen of the United States, over twenty-one years of age who shall have actively practiced or taught psycho-

logy in the state of Washington, for at least three years immediately preceding his appointment, and who is, in the case of the first members of the board, entitled to licensing under this chapter. The director shall appoint the board within thirty days after the effective date of this chapter. At the first meeting of the board the members shall determine by lot one member to serve for three years, two members to serve for two years and two members to serve one year. Upon the expiration of each member's term, the governor shall appoint a licensed psychologist as successor who shall serve for a term of three years. Upon the death, resignation, or removal of a member, the governor shall appoint a successor to serve for the unexpired term. The board shall elect one of its members to serve as chairman.

SEC. 4. Section 4, chapter 305, Laws of 1955 and RCW 18.83.040 are each amended to read as follows:

RCW 18.83.040  
amended.

The first meeting of the board shall be held within thirty days after the appointment of the board at a specific time and place designated by the director. Thereafter the board shall meet at least once a year and at as many other times as the board deems appropriate to properly discharge its duties. All meetings shall be held in Olympia, Washington, or at such other place as may be designated by the director. Three members of the board shall constitute a quorum.

—Meetings—  
Quorum.

SEC. 5. Section 5, chapter 305, Laws of 1955 and RCW 18.83.050 are each amended to read as follows:

RCW 18.83.050  
amended.

It shall be the duty of the board to:

—Powers  
and duties.

(1) Examine the qualifications of applicants for licensing under this chapter, to determine which applicants are eligible for licensing hereunder and forward to the director the names of applicants so eligible.

(2) Prepare, give and grade such examinations

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Examining  
board. Powers  
and duties.

to applicants as are required by the terms of this chapter. The board shall determine the scope and length of such examinations, and what score shall be deemed a passing score. Such examination shall be oral and written. The board may designate one or more of its members to personally supervise the taking of the examinations by applicants.

(3) Keep a complete record of its own proceedings, of the questions given in examinations, of the names and qualifications of all applicants, the names and addresses of all licensed psychologists. The examination paper of such applicant shall be kept on file for a period of at least one year after examination.

RCW 18.83.060  
amended.

SEC. 6. Section 6, chapter 305, Laws of 1955 and RCW 18.83.060 are each amended to read as follows:

Application for  
a license—Fee.

Each applicant for a license shall file with the director an application duly verified, in such form and setting forth such information as the board shall prescribe. An application fee in the sum of forty dollars shall accompany each application.

RCW 18.83.070  
amended.

SEC. 7. Section 7, chapter 305, Laws of 1955 and RCW 18.83.070 are each amended to read as follows:

Applicants—  
Qualifications  
—Examination.

An applicant for a license as “psychologist” must submit proof to the board that:

(1) He is of good moral character.

(2) He holds a doctoral degree from an accredited institution of higher learning with an adequate major in psychology as determined by the board and has had at least one year experience practicing psychology under qualified supervision after receiving such degree.

(3) He is professionally competent by passing an examination in psychology prescribed by the board and covering the basic subject matter of psychology and psychological skills and techniques: *Provided*, That persons who have not previously failed an ex-

amination hereunder or been denied a certificate by the board and who are holding a doctoral or master's degree from an accredited institution of higher learning with an adequate major in psychology as determined by the board and who have practiced psychology for a period of five years or its equivalent in part time employment, at least three years of which shall have been in the state of Washington prior to the date of application and who submit to the board proof of good moral character shall be granted the title of "psychologist" and shall receive a license hereunder without taking any examination, if such persons apply for such license within one year after the effective date of this amendatory act of 1965.

SEC. 8. Section 8, chapter 305, Laws of 1955 and RCW 18.83.080 are each amended to read as follows:

RCW 18.83.080  
amended.

Upon forwarding to the director by the board of the name of each applicant entitled to a license under this chapter, the director shall promptly issue to such applicant a license authorizing such applicant to use the title "psychologist" for a period of one year. Said license shall be in such form as the director shall determine. Each licensed psychologist shall keep his license displayed in a conspicuous place in his principal place of business.

Licenses. Issu-  
ance—Display.

SEC. 9. Section 9, chapter 305, Laws of 1955 and RCW 18.83.090 are each amended to read as follows:

RCW 18.83.090  
amended.

Each licensed psychologist may renew his license by paying to the state treasurer, on or before the tenth day of January of each year, a renewal fee in the amount of ten dollars. Upon receipt of such payment by the state treasurer the director shall issue a certificate of renewal in such form as the director shall determine.

—Renewal—  
Fee.

SEC. 10. Section 10, chapter 305, Laws of 1955 and RCW 18.83.100 are each amended to read as follows:

RCW 18.83.100  
amended.

Failure to renew a license as herein provided

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Licenses. Failure to renew,  
effect—  
Reinstatement.

shall suspend such license: *Provided*, That a license holder whose license has been suspended for failure to renew may reinstate such license by paying to the state treasurer the renewal fees for all of the years in which such failure occurred, together with a renewal fee for the current year, but not to exceed five years. However, no renewal license shall be issued after one year from the expiration of the last valid license unless the board shall find that the applicant has not violated any provision of this chapter since his license was suspended.

RCW 18.83.110  
amended.

SEC. 11. Section 11, chapter 305, Laws of 1955 and RCW 18.83.110 are each amended to read as follows:

Privileged  
communications.

Confidential communications between a client and a psychologist shall be privileged against compulsory disclosure to the same extent and subject to the same conditions as confidential communications between attorney and client.

RCW 18.83.120  
amended.

SEC. 12. Section 13, chapter 305, Laws of 1955 and RCW 18.83.120 are each amended to read as follows:

Unethical  
practice  
defined.

Within the meaning of this chapter unethical practice of psychology shall include the following:

- (1) Wilfully misleading a client or furnishing a client with information known to be erroneous.
- (2) The offering of any psychological services entirely by mail, the use of untrained personnel or of mechanical devices alone in the interpretation of test results, the indiscriminate dissemination of psychological testing materials.
- (3) The employment of psychological techniques for entertainment, or other purposes not consistent with the development of psychology as a science.
- (4) Engaging in individual psychological diagnosis or treatment in the course of public lectures or demonstrations, newspaper or magazine articles, radio or television programs, or similar media.
- (5) Representing himself as a psychologist un-

der any name, except his own, which shall be that used in his license issued by the director.

(6) Conducting an office for the practice of psychology in his name or use his name in connection with any office for the practice of psychology, unless he is personally present therein functioning as a psychologist or personally overseeing the functions performed in any office during most of the time that office is being operated.

(7) Employing a solicitor or solicitors to obtain business.

(8) Advertising individual psychological diagnosis or treatment in newspapers, periodicals, or in bold face type or in any printed matter or by the use of any form of display sign or by means of hand bills, posters, circulars, stereopticon slide, motion pictures, television, or any printed publication or medium: *Provided*, That he may be listed in any directory in a manner uniform as to type, size and color with others listed therein, may display a dignified sign at the entrance to his office or on the windows thereof, containing not more than his name, degree, the designation psychologist, and the type of psychological activity, and may use dignified business cards containing his name, title, degree, and the type of psychological activity, office and residence address and telephone numbers and his office hours.

(9) Obtaining any fee by fraud or misrepresentation.

(10) Wilfully betraying professional secrets.

(11) Adopting any means tending to deceive the public or to be habitually intemperate or grossly immoral or to commit any offense involving moral turpitude, in which case the record of conviction thereof shall be conclusive evidence.

(12) Obtaining by fraud or deceit a license as psychologist.

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Unethical  
practice  
defined.

(13) Advertising the rendition of individual psychological diagnosis or treatment at a stipulated price or any variation of such price or as being free.

(14) Violating the provisions of chapter 19.68 RCW.

(15) Being guilty of unprofessional conduct as defined in any other act relating to the practice of psychology.

(16) All advertising of any psychological practice which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons and so be harmful or injurious to public morals or safety.

(17) Repeating acts of immorality, or repeating acts of gross misconduct in the practice of psychology.

RCW 18.83.130  
amended.

SEC. 13. Section 12, chapter 305, Laws of 1955 and RCW 18.83.130 are each amended to read as follows:

Denial, sus-  
pension, revo-  
cation of  
license.  
Grounds.

The director shall refuse to grant a license to any applicant and shall revoke or suspend any license upon proof of the following:

(1) Conviction of crime involving moral turpitude;

(2) Habitual use of narcotics, or any other substance which impairs the intellect and judgment to such an extent as to incapacitate the applicant or license holder for the practice of psychology;

(3) Habitual drunkenness;

(4) Violation of the provisions of this chapter;

(5) The unethical practice of psychology.

RCW 18.83.140  
amended.

SEC. 14. Section 14, chapter 305, Laws of 1955 and RCW 18.83.140 are each amended to read as follows:

—Manner.

Licenses issued pursuant to this chapter may be suspended or revoked in the manner provided in RCW 43.24.110.



SEC. 15. Section 15, chapter 305, Laws of 1955 and RCW 18.83.150 are each amended to read as follows:

RCW 18.83.150 amended.

In all proceedings having for their purpose the revocation or suspension of a license, the holder of such license shall be given twenty days' notice in writing by the director, which notice shall specify the offense or offenses against this chapter with which said accused person is charged, and said notice shall also give the day and place where the hearing is to be held, which place of hearing shall be in the city of Olympia, Washington, unless a different place shall be fixed by the director. The director shall have the power to issue subpoenas to compel the attendance of witnesses or the production of books or documents. The accused person shall have the opportunity to make his defense and may have issued such subpoenas as he may desire. Subpoenas shall be served in the same manner as in civil cases in the superior court. Witnesses shall testify under oath administered by the director. Testimony should be taken in writing and may be taken by deposition under such rules as the director may prescribe. The committee appointed pursuant to RCW 43.24.110, shall hear and determine the charges and shall make findings and conclusions on the evidence produced and shall file the same in the director's office, together with a transcript of all evidence, a duplicate copy of which shall be served upon the accused. The revocation or suspension of the license shall be in writing, signed by the director, stating the ground upon which such order is based.

—Hearings, procedure.

SEC. 16. Section 16, chapter 305, Laws of 1955 and RCW 18.83.160 are each amended to read as follows:

RCW 18.83.160 amended.

Any person feeling himself aggrieved by the refusal of the director to issue a license as provided in

—Appeal.

Psychologists.  
Denial, sus-  
pension, revo-  
cation of  
license.  
Appeal.

this chapter, or to renew the same, or by the revoca-  
tion or suspension of a license issued pursuant to the  
provisions of this chapter, shall have the right to  
appeal from such order within fifteen days after a  
copy of such order is served upon him to the supe-  
rior court of any county, which court shall hear such  
matter de novo, and appeal shall lie to the supreme  
court of the state from the judgment of the said su-  
perior court in the same manner as provided by law  
in other civil cases.

RCW 18.83.170  
amended.

SEC. 17. Section 17, chapter 305, Laws of 1955  
and RCW 18.83.170 are each amended to read as  
follows:

Reciprocity.

Upon application accompanied by a fee of forty  
dollars, the board may recommend and the director  
shall be empowered to grant a license, without writ-  
ten or oral examination, to any applicant who has  
not previously failed any examination held by the  
board of psychology of the state of Washington and  
furnishes evidence satisfactory to the board that he:

- (1) Holds a doctoral degree with primary em-  
phasis on psychology from an accredited college or  
university; and
- (2) Is licensed or certified to practice psychology  
in another state in which the requirements for such  
licensing or certification are, in the judgment of the  
board, essentially equivalent to those required by  
this chapter and the rules and regulations of the  
board. Such individuals must have been licensed  
or certified in another state for a period of at least  
two years; or
- (3) Is a diplomat in good standing of the Amer-  
ican Board of Examiners in Professional Psychology.

RCW 18.83.180  
amended.

SEC. 18. Section 18, chapter 305, Laws of 1955  
and RCW 18.83.180 are each amended to read as  
follows:

It shall be a misdemeanor for any person to:

Violations—  
Misdemeanors.

(1) Use in connection with his or her name any designation tending to imply that he or she is a licensed psychologist unless duly licensed under or specifically excluded from the provisions of this chapter;

(2) Practice as a licensed psychologist during the time his or her license issued under the provisions of this chapter is suspended or revoked.

SEC. 19. There is added to chapter 305, Laws of 1955 and to chapter 18.83 RCW a new section to read as follows:

New section.

This chapter shall not apply to:

Exemptions.

(1) Any person teaching, lecturing, consulting, or engaging in research in psychology but only insofar as such activities are performed as a part of or are dependent upon a position in a college or university in the state of Washington.

(2) Any person who holds a valid school psychologist credential from the Washington state board of education but only when such a person is practicing psychology in the course of his employment.

(3) Any person employed by a local, state, or federal government agency whose psychologists must qualify for employment under federal or state certification or civil service regulations; but only at those times when that person is carrying out the functions of his employment.

(4) Any person who must qualify under the employment requirements of a business or industry and who is employed by a business or industry which is not engaged in offering psychological services to the public, but only when such person is carrying out the functions of his employment: *Provided*, That no person exempt from licensing under this subsection shall engage in the clinical practice of psychology.

Psychologists.  
Licensing.  
Exemptions.

(5) Any person who is a student of psychology, psychological intern, or resident in psychology preparing for the profession of psychology under supervision in a training institution or facilities and who is designated by the title such as "psychological trainee," "psychology student," which thereby indicates his training status.

(6) Any person who has received a doctoral degree from an accredited institution of higher learning with an adequate major in sociology or social psychology as determined by the board and who has passed comprehensive examinations in the field of social psychology as part of the requirements for the doctoral degree. Such persons may use the title "social psychologist" provided that they file a statement of their education with the board.

New section.

SEC. 20. There is added to chapter 305, Laws of 1955 and to chapter 18.83 RCW a new section to read as follows:

Examinations  
—Where—  
When—Re-  
examination.

(1) Examination of applicants shall be held in Olympia, Washington, or at such other place as designated by the director, at least annually at such times as the board may determine.

(2) Any applicant shall have the right to discuss with the board his performance on the examination.

(3) Any applicant who fails to make a passing grade on the examination may be allowed to take the examination a second time. Any applicant who fails the examination a second time must obtain special permission from the board to take the examination again.

New section.

SEC. 21. There is added to chapter 305, Laws of 1955 and to chapter 18.83 RCW a new section to read as follows:

Account cre-  
ated—Board  
per diem, etc.,  
paid from.

There is hereby created the "state board of psychological examiners' account" within the state general fund. All moneys received under chapter 18.83

RCW by the state treasurer shall be deposited in the "state board of psychological examiners' account" within the state general fund.

Each member of the board shall receive the sum of twenty-five dollars per diem when actually attending to the work of the board or any of its committees and for the time spent in necessary travel; and in addition thereto shall be reimbursed for actual traveling, incidental, and clerical expenses necessarily incurred in carrying out the duties of the board. Any such expenses shall be paid from the "state board of psychological examiners' account" within the general fund, to the extent that the monies are available therein.

SEC. 22. There is added to chapter 305, Laws of 1955 and to chapter 18.83 RCW a new section to read as follows: New section.

The board may issue certificates of qualification with appropriate title to applicants who meet all the licensing requirements except the possession of the degree of Doctor of Philosophy or its equivalent in psychology from an accredited educational institution. These certificates of qualification certify that the holder has been examined by the board and is deemed competent to perform certain functions within the practice of psychology under the periodic direct supervision of a psychologist licensed by the board. Such functions will be specified on the certificate issued by the board. Such applicant shall pay to the board of examiners a fee not to exceed twenty-five dollars for certification in a single area of qualification and a fee for amendment of the certificate to include each additional area of qualification. Upon petition by a holder the board of examiners may grant authority to function without immediate supervision. Certificates of qualification—  
Requisites for  
—Fees.

New section.

SEC. 23. There is added to chapter 305, Laws of 1955 and to chapter 18.83 RCW a new section to read as follows:

Psychologists. "Certified psychologists" to be issued license—Qualifications for—Fees—Temporary permit.

(1) All "certified psychologists" who are certified under the provisions of chapter 18.83 RCW shall be promptly issued a license by the director. The fee for this license shall be determined by the director but shall not exceed twenty dollars.

(2) The words "certification" and "licensing" shall be known as interchangeable terms in this chapter.

(3) A valid receipt for an initial application for license hereunder, provided the applicant meets the requirements of sections 1 and 2 of RCW 18.83.070, shall constitute a temporary permit to practice psychology until the board of examiners completes action on the application. The board must complete action within one year of the date such receipt is issued.

(4) A person, not licensed in this state, who wishes to perform practices under the provisions of this chapter for a period not to exceed ninety days within a calendar year, must petition the board for a temporary permit to perform such practices. If the person is licensed or certified in another state deemed by the board to have standards equivalent to this chapter, a permit may be issued. No fee shall be charged for such temporary permit.

New section.

SEC. 24. There is added to chapter 305, Laws of 1955 and to chapter 18.83 RCW a new section to read as follows:

Injunctive relief.

If any person represents himself to be a psychologist, unless exempted from the provisions of this chapter without possessing a valid license, certificated qualification, or a temporary permit to do so, or if he violates any of the provisions of this act any prosecuting attorney, the director, or any citizen of

the same county may maintain an action in the name of the state to enjoin such person from representing himself as a psychologist. The injunction shall not relieve from criminal prosecution, but the remedy by injunction shall be in addition to the liability of such offender to criminal prosecution and to suspension or revocation of his license.

SEC. 25. Nothing in this act shall be construed as prohibiting any individual from offering counseling or guidance provided that such individuals do not hold themselves forth as psychologists.

Counseling permissible.

SEC. 26. If any provision of this 1965 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the 1965 amendatory act, or the application of the provision to other persons or circumstances is not affected.

Severability.

Passed the House March 10, 1965.

Passed the Senate March 9, 1965.

Approved by the Governor March 20, 1965.

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CHAPTER 71.

[ House Bill No. 371. ]

SEWER DISTRICT CONTRACTS.

AN ACT relating to sewer district contracts; authorizing the use of bid bonds; and amending section 44, chapter 210, Laws of 1941 and RCW 56.08.070.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. Section 44, chapter 210, Laws of 1941 and RCW 56.08.070 are each amended to read as follows:

RCW 56.08.070 amended.

All materials purchased and work ordered, the estimated cost of which is in excess of two thousand five hundred dollars shall be let by contract. Before

Sewer districts - Contract for labor and materials.