

Proposed Statutory Revision Redefining “the Practice of Psychology”

Sec. 501.003. PRACTICE OF PSYCHOLOGY.

(a) In this section, "psychological services" means acts or behaviors that are included within the purview of the practice of psychology.

(b) A person is engaged in the practice of psychology within the meaning of this chapter if the person:

(1) represents himself or herself to the public by a title or description of services that includes the word "psychological," "psychologist," or "psychology" when providing or offering to provide psychological services;

(2) is a psychologist or psychological associate employed as described by Section 501.004(a)(1) who offers or provides psychological services, other than lecture services, to the public for consideration separate from the salary that person receives for performing the person's regular duties; or

(3) is employed as a psychologist or psychological associate by an organization that sells psychological services, other than lecture services, to the public for consideration.

(c) The practice of psychology:

(1) consists of the observation, description, diagnosis, evaluation, assessment, interpretation, and modification of human behavior by applying education, training, methods, and procedures for the purposes of

(A) predicting, remediating or eliminating:

i. symptomatic, maladaptive, or undesired behavior;

ii. emotional, interpersonal, learning, or behavioral disorders;

iii. mental illness; or

iv. emotional or behavioral disorders that accompany medical problems;

(B) facilitating the enhancement of individual, group, or organizational effectiveness – including personal effectiveness, adaptive behavior, interpersonal relationships, academic, occupational, and life

adjustment, health, and individual, group, or organizational performance; or

(C) assisting in legal decision-making.

(2) does not include:

(A) the offering of advice, counsel, or guidance addressing or affecting the mental, emotional, or behavioral health of another individual, whether solicited or unsolicited, when:

(i) there is no request for or expectation of compensation from the recipient in connection with the advice, counsel, or guidance;

(ii) the primary focus of the provider's occupation is other than the delivery of mental health care services and the person is offering the advice, counsel, or guidance ancillary to the person's occupation; or

(iii) the advice, counsel, or guidance is offered within the context of an organized or structured program or peer support service that is designed to support or assist individuals with a self-identified goal of changing or improving certain aspects of their mental, emotional, or behavioral health; and

(B) the individual offering the advice, counsel, or guidance does not represent:

(i) himself or herself to be a psychologist, or that he or she is otherwise engaged in the delivery of psychological services; and

(ii) the advice, counsel, or guidance as being psychological in nature.

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- (b)** A person is engaged in the practice of psychology within the meaning of this chapter if the person:
 - (1)** represents the person to the public by a title or description of services that includes the word "psychological," "psychologist," or "psychology";
 - (2)** provides or offers to provide psychological services to individuals, groups, organizations, or the public;
 - (3)** is a psychologist or psychological associate employed as described by Section 501.004(a)(1) who offers or provides psychological services, other than lecture services, to the public for consideration separate from the salary that person receives for performing the person's regular duties; or
 - (4)** is employed as a psychologist or psychological associate by an organization that sells psychological services, other than lecture services, to the public for consideration.
- (c)** The practice of psychology:
 - (1)** includes providing or offering to provide services to an individual or group, including providing computerized procedures, that include the application of established principles, methods, and procedures of describing, explaining, and ameliorating behavior;
 - (2)** addresses normal behavior and involves evaluating, preventing, and remediating psychological, emotional, mental, interpersonal, learning, and behavioral disorders of individuals or groups, as well as the psychological disorders that accompany medical problems, organizational structures, stress, and health;
 - (3)** includes:
 - (A)** using projective techniques, neuropsychological testing, counseling, career counseling, psychotherapy, hypnosis for health care purposes, hypnotherapy, and biofeedback; and
 - (B)** evaluating and treating mental or emotional disorders and disabilities by psychological techniques and procedures; and
 - (4)** is based on:
 - (A)** a systematic body of knowledge and principles acquired in an organized program of graduate study; and
 - (B)** the standards of ethics established by the profession.