SENATE BILL NO. 37

26

## BY SENATOR MARTINY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1	AN ACT
2	To amend and reenact R.S. 37:2353(C)(5), 2354(B)(1), 2356(A)(6), and 2359(C), relative
3	to the Louisiana State Board of Examiners of Psychologists; to provide for authority
4	to conduct hearings; to provide for hearing fees; to provide for informal resolution
5	fees; to provide for experience substitutions; to provide for authority to withhold
6	license; to provide for an effective date; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 37:2353(C)(5), 2354(B)(1), 2356(A)(6), and 2359(C) are hereby
9	amended and reenacted to read as follows:
10	§2353. State board of examiners; organization; duties; meetings; fees
11	* * *
12	C. The board is authorized and empowered to:
13	* * *
14	(5) Conduct hearings upon complaints concerning the disciplining of a
15	psychologist; provided that, notwithstanding a person licensed pursuant to the
16	provisions of this Chapter and within the limitations established under Chapter
17	1-A of Title 37 of the Louisiana Revised Statutes of 1950, no disciplinary proceeding
18	shall be commenced more than one year after the date upon which the board knows
19	or should know of the act or omission upon which the disciplinary action is based.
20	* * *
21	§2354. Fees
22	* * *
23	B.(1) The board shall charge an application fee to all applicants for licensure.
24	The board may also charge a written examination fee and an oral examination fee.
25	A hearing fee may also be charged at the discretion of the board. The board shall

establish a reasonable fee schedule in conformity with the provisions of the

1	Administrative Procedure Act, R.S. 49:950 et seq.
2	* * *
3	§2356. Licensure of psychologists by written and oral examination
4	A. The board shall issue a license as a psychologist to each applicant who
5	shall file an application upon a form and in such a manner as the board prescribes,
6	accompanied by such fee as required by this Chapter, and who furnishes evidence
7	to that board that, except as otherwise required by law, he:
8	* * *
9	(6) Has a minimum of two years of experience practicing psychology under
10	the supervision of a psychologist, one year of which may be a predoctoral internship
11	as defined in the rules and regulations of the board and required as part of the
12	doctoral degree in psychology as defined by the board and all other experience being
13	post-doctoral. Psychologists who can demonstrate five years of licensed practice
14	as a psychologist in another state, with no disciplinary actions, may qualify to
15	meet one year of post-doctoral experience as defined in the rules and regulations
16	of the board.
17	* * *
18	§2359. Denial, revocation, or suspension of license; psychologist; provisional
19	license; specialist in school psychology
20	* * *
21	C.(1) Proceedings for disciplinary action or for the denial or withholding of
22	a license or provisional license under the authority of this Section shall be conducted
23	in compliance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq.
24	The board may require a person against whom it has taken disciplinary action has
25	been taken by the board, after hearing or informal resolution, to pay reasonable
26	costs of the proceedings incurred by the board for hearing and any judicial review,
27	including attorney, stenographer, and witness fees in accordance with the
28	provisions of this Chapter. These costs shall be paid no later than thirty ninety days
29	after the adjudication by the board becomes final. No license or provisional

license shall be issued, reinstated, or renewed until such costs have been paid.

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**SB NO. 37 ENROLLED** 1 (2) The board may charge a hearing fee to include reasonable costs and 2 fees incurred by the board for the hearing or proceedings, including its legal fees, stenographer, investigator, staff, and witness fees and any such costs and 3 4 fees incurred by the board on any judicial review or appeal. 5 (3) The board may charge an informal resolution fee, not to exceed ten thousand dollars, to include costs and fees incurred by the board for a 6 7 disciplinary action that is resolved by settlement, consent decree, or other informal resolution including its investigator, staff, and legal fees. 8 9 10 Section 2. This Act shall become effective upon signature by the governor or, if not 11 signed by the governor, upon expiration of the time for bills to become law without signature 12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If 13 vetoed by the governor and subsequently approved by the legislature, this Act shall become 14 effective on the day following such approval. PRESIDENT OF THE SENATE SPEAKER OF THE HOUSE OF REPRESENTATIVES GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_