

[Passed Both Houses]

ASSEMBLY, No. 2982

STATE OF NEW JERSEY

INTRODUCED MAY 12, 1997

By Assemblymen DeSOPO, DORIA, Cohen,  
Senators Palaia and O'Connor

1 AN ACT concerning certain persons certified by the Department of  
2 Education and amending P.L.1966, c.282 and P.L.1991, c.134.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 6 of P.L.1966, c.282 (C.45:14B-6) is amended to read  
8 as follows:

9 6. Any individual who is not a licensed practicing psychologist  
10 shall not be limited in his activities:

11 (a) As part of his duties as an employee of:

12 (1) an accredited academic institution, a Federal, State, county or  
13 local governmental institution or agency, or a research facility while  
14 performing those duties for which he was employed by such an  
15 institution, agency or facility;

16 (2) a business organization, while performing those duties for  
17 which he was employed by such an organization, and providing the  
18 purposes of such an organization do not include the offer to practice,  
19 or the practice of, psychology as defined in section 2(b) of this act;

20 (3) an organization which is nonprofit and which is, in the opinion  
21 of the board, a bona fide community agency, while performing those  
22 duties for which he was employed by such an agency under the direct  
23 supervision of a licensed practicing psychologist. For the purposes of  
24 this subsection a "community agency" means a nonprofit organization  
25 supported wholly or in a major part by public funds.

26 (b) As required by his employer to the pupils, students or other  
27 normal clientele within the scope of his employment but not to the  
28 general public, provided he is employed by a private elementary or  
29 secondary school that requires its psychologists to be certified as  
30 school psychologists by the New Jersey State Department of

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 Education.

2 (c) As a student of psychology, psychological intern or person  
3 preparing for the practice of psychology under qualified supervision in  
4 a training institution or facility recognized by the board provided he is  
5 designated by such titles as "psychological intern," "psychological  
6 trainee" or others, clearly indicating such training status.

7 (d) As a practicing psychologist for a period not to exceed 10  
8 consecutive business days or 15 business days in any 90-day period, if  
9 he resides outside, and his major practice is outside, of the State of  
10 New Jersey and gives the board a summary of his qualifications and a  
11 minimum of 10 days' written notice of his intention to practice in the  
12 State of New Jersey under this section 6(d), provided he (1) is  
13 certified or licensed in another State under requirements the board  
14 considers to be the equivalent of requirements for licensing under this  
15 act or (2) resides in a State which does not certify or license  
16 psychologists and the board considers his professional qualifications  
17 to be the equivalent of requirements for licensing under this act; and  
18 is not adjudged and notified by the board that he is ineligible for  
19 licensing under this act.

20 (e) As a practicing psychologist for a period not exceeding 1 year,  
21 if he has a temporary permit therefor which the board may issue upon  
22 his filing of an application for licensing under this act.

23 (f) As a practicing psychologist for a period not exceeding 3 years  
24 under the supervision of a licensed practicing psychologist or a person  
25 designated by the board as an eligible supervisor, if he has a  
26 temporary permit therefor which the board may issue upon his  
27 completion of all the requirements for licensing under this act except  
28 the supervised experience requirement.

29 (g) As a practicing psychologist certified as a school psychologist  
30 by the State Department of Education and performing services on  
31 behalf of a local school district to students for whom the school  
32 district is responsible to provide services.

33 (cf: P.L.1966, c.282, s.6)

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35 2. Section 5 of P.L.1991, c.134 (C.45:15BB-5) is amended to read  
36 follows:

37 5. The provisions of this act shall not apply to the following  
38 persons:

39 a. A person authorized by the laws of this State to practice  
40 medicine and surgery, psychology, marriage counseling, chiropractic,  
41 acupuncture, physical therapy, occupational therapy, speech pathology  
42 and audiology, nursing or any other profession licensed by the State,  
43 when acting within the scope of the person's profession or occupation  
44 and doing work of a nature consistent with the person's training, if the  
45 person does not hold himself out to the public as possessing a license  
46 or certificate issued pursuant to this act;

1 b. A student enrolled in an educational program accredited, or in  
2 candidacy for accreditation, by the Council on Social Work Education,  
3 if the student is practicing as part of a supervised course of study and  
4 is clearly designated by the title "social work intern;"

5 c. A [primary, middle or secondary school social worker] person  
6 certified as a school social worker by the State Department of  
7 Education, but only [in the course of this employment and only when  
8 designated by the title "school social worker"] when performing  
9 services on behalf of a local school district to students for whom the  
10 school district is responsible to provide services;

11 d. A rabbi, priest, minister, Christian Science practitioner or  
12 clergyman of any religious denomination or sect, when engaging in  
13 activities, which are within the scope of the performance of the  
14 person's regular or specialized ministerial duties and for which no  
15 separate charge is made, or when these activities are performed, with  
16 or without charge, for or under the auspices or sponsorship,  
17 individually or in conjunction with others, of an established and legally  
18 cognizable church, denomination, or sect, and when the person  
19 rendering services remains accountable to the established authority  
20 thereof;

21 e. A person engaged in the practice of alcohol or drug abuse  
22 intervention, prevention, or treatment if the person does not advertise  
23 or use any title, name, or description, the use of which is restricted by  
24 section 4 of this act;

25 f. An employee of the State or a political subdivision thereof which  
26 is subject to the provisions of Title 11A, Civil Service, of the New  
27 Jersey Statutes, but only in the course of this employment;

28 g. An employee of a nonprofit organization with a master's degree  
29 in a mental health discipline other than social work, who performs  
30 psychotherapeutic counseling under the supervision of a licensed  
31 clinical social worker or other State-licensed mental health  
32 professional; and

33 h. An employee or volunteer of a nonprofit organization who  
34 performs any social work service other than psychotherapeutic  
35 counseling, but only in the course of this employment or volunteer  
36 activity, and if the person does not advertise or use any title or name  
37 the use of which is restricted by section 4 of P.L.1991, c.134  
38 (C.45:15BB-4).

39 (cf: P.L.1995, c.66, s.2)

40  
41 3. This act shall take effect immediately.

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43 STATEMENT

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45 This bill permits a person certified as a school psychologist by the  
46 Department of Education to perform services on behalf of a local

1 school district to students for whom the school district is responsible  
2 to provide services. The bill also permits a person certified as a school  
3 social worker by the Department of Education to perform services on  
4 behalf of a local school district to students for whom the school  
5 district is responsible. The bill amends current law so that local boards  
6 of education may utilize the services of certified, but unlicensed,  
7 school psychologists and social workers by selecting from various  
8 service providers in providing services to nonpublic school students.

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14 Permits certified school psychologists and social workers to provide  
certain services for nonpublic school students.