

SENATE, No. 2083

STATE OF NEW JERSEY

INTRODUCED MAY 15, 1997

By 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:

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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  
31 Education.

32 (c) As a student of psychology, psychological intern or person  
33 preparing for the practice of psychology under qualified supervision in  
34 a training institution or facility recognized by the board provided he is

**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 designated by such titles as "psychological intern," "psychological  
2 trainee" or others, clearly indicating such training status.

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

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

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

25 (g) As a practicing psychologist certified as a school psychologist  
26 by the State Department of Education and performing services on  
27 behalf of a local school district to students for whom the school  
28 district is responsible to provide services.

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

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

33 5. The provisions of this act shall not apply to the following  
34 persons:

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

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

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

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

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

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

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

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

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

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37 3. This act shall take effect immediately.  
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#### 40 STATEMENT

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42 This bill permits a person certified as a school psychologist by the  
43 Department of Education to perform services on behalf of a local  
44 school district to students for whom the school district is responsible  
45 to provide services. The bill also permits a person certified as a school  
46 social worker by the Department of Education to perform services on

1 behalf of a local school district to students for whom the school  
2 district is responsible. The bill amends current law so that local boards  
3 of education may utilize the services of certified, but unlicensed,  
4 school psychologists and social workers by selecting from various  
5 service providers in providing services to nonpublic school students.

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