

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Jay R. Kaufman

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act regulating psychotherapy.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Thomas J. Calter	12th Plymouth
Carol Nemet Curran	8 Highland Drive Kingston
Willie Mae Allen	6th Suffolk
F. Jay Barrows	1st Bristol
Matthew C. Patrick	3rd Barnstable
Paul J. Donato	35th Middlesex
Robert M. Koczera	11th Bristol
Christine E. Canavan	10th Plymouth
Stephen R. Canessa	12th Bristol
Stephen L. DiNatale	3rd Worcester
Susan Williams Gifford	2nd Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4744 OF 2007-2008.]

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
—————

AN ACT REGULATING PSYCHOTHERAPY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 65A of chapter 112 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following
3 sentence:—

4 Notwithstanding any general or special law to the contrary, (i) each board of registration under
5 the supervision of the division of professional licensure, (ii) each board of registration under the
6 supervision of the department of public health and (iii), in the case of violations of section 65F, the
7 division of professional licensure may, after a consent agreement between the parties or after an
8 opportunity for an adjudicatory proceeding held pursuant to chapter 30A, assess and collect a civil
9 administrative penalty not to exceed \$1,000 for the first violation and a civil administrative penalty not
10 to exceed \$2,500 for a second or subsequent violation upon a person who, without holding the required
11 license, certificate, registration or authority, engages in the practice of a trade or profession for which a
12 license, certificate, registration or authority is required.

13

14 SECTION 2. Said chapter 112 is hereby amended by inserting after section 65E the following
15 section:—

16

17 1. 65F. No person shall represent himself to the public as a psychotherapist or
18 provide services in psychotherapy, unless he (i) is a physician with a certification in

19 psychiatry and a license in good standing with the board of registration in medicine, a
20 psychologist with a license in good standing with the board of registration of
21 psychologists, a licensed independent clinical social worker or a licensed certified social
22 worker with a license in good standing with the board of registration of social workers, a
23 psychiatric nurse mental health clinical specialist with a license in good standing with the
24 board of registration in nursing, a marriage and family therapist licensed under section
25 165, or a mental health counselor licensed under section 165 with a license in good
26 standing with the board of registration of allied mental health and human services
27 professionals, and (ii) is practicing within the scope and expertise of such license; or (iii)
28 he is a student, intern or person fulfilling the required supervised experience for licensure
29 in the above professions under the qualified supervision of a licensee and is registered
30 with the board of registration of allied mental health and human services professionals, or
31 (iv) he is a psychoanalyst, not otherwise covered under 65F(i) or 65F(ii), who meets the
32 following certification standards, graduated from a psychoanalytic training program at an
33 accredited psychoanalytic institute; has a minimum of 96 credit hours of psychoanalytic
34 study, whether such study takes place within or after completion of the master's degree or
35 higher, as long as such study includes: a minimum of 60 credit hours of coursework; a
36 minimum of 900 hours of clinical experience, a minimum of 350 of which are individual
37 treatment; a minimum of 200 hours of clinical supervision, a minimum of 100 of which
38 are individual supervision; successful completion of (i) a psychoanalytic research thesis
39 or dissertation and (ii) a final comprehensive case presentation; and a minimum of 300
40 hours of personal analysis, and registers with the board of registration of allied mental
41 health and human services professionals or (v) is a student fulfilling the required
42 supervised experience of an accredited psychoanalytic institute, and is registered with the
43 board of registration of allied mental health and human services professionals.
44

45 SECTION 3. Each student, intern or person fulfilling the required supervised experience for
46 licensure as defined in 65F (iii) shall register with the board of registration of allied mental health and
47 human services professionals and shall provide the following information: name, address, telephone
48 number, educational institution, degrees held and from where they were conferred, name and address
49 of supervisor and employer. Registration of such student, intern or person fulfilling the required
50 supervised experience for licensure as defined in 65F (iii) shall not exceed a five-year period without
51 approval from the board of registration of allied mental health and human services professionals.

52 Each psychoanalyst as defined in 65F (iv) who has met the certification standards as described under 65F
53 (iv) shall register with the board of registration of allied mental health and human services professionals
54 and shall provide the following information: name, address, telephone number, graduate degrees held
55 and from where they were conferred, name and address of the psychoanalytic institute from which he
56 graduated. Each student as defined in 65F (v) fulfilling the required supervised experience of a
57 psychoanalytic institute shall register with the board of registration of allied mental health and human
58 services professionals and shall provide the following information: name, address, telephone number,
59 name and address of the psychoanalytic institute, and the name and address of supervisor and

60 employer. Registration of such student fulfilling the required supervised experience as defined in 65F (v)
61 shall not exceed a five-year period without approval from the board of registration of allied mental
62 health and human services professionals.