

HOUSE No. 1946

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to improve access to the services of educational psychologists..

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 22 of Chapter 32A of the General Laws is
2 hereby amended by striking out the last paragraph, inserted by
3 section 1 of chapter 80 of the acts of 2000, and inserting in place
4 thereof the following paragraph:—
5 For the purposes of this section, “licensed mental health professional”
6 shall mean a licensed physician who specializes in the practice
7 of psychiatry, a licensed psychologist, a licensed independent
8 clinical social worker, a licensed mental health counselor, a licensed
9 nurse mental health clinical specialist, or a licensed educational psychologist
10 within the lawful scope of practice for such educational
11 psychologist.

12 SECTION 2. Section 47B of Chapter 175 of the General Laws is
13 hereby amended by striking out the next to the last paragraph,
14 inserted by section 2 of chapter 80 of the acts of 2000, and inserting
15 in place thereof the following paragraph:—
16 For the purposes of this section, “licensed mental health professional”
17 shall mean a licensed physician who specializes in the practice
18 of psychiatry, a licensed psychologist, a licensed independent
19 clinical social worker, a licensed mental health counselor, a licensed
20 nurse mental health clinical specialist, or a licensed educational psychologist
21 within the lawful scope of practice for such educational
22 psychologist.

23 SECTION 3. Section A of Chapter 176A of the General Laws is
24 hereby amended by striking out the next to the last paragraph,
25 inserted by section 4 of chapter 80 of the acts of 2000, and inserting
26 in place thereof the following paragraph:—
27 For the purposes of this section, “licensed mental health professional”
28 shall mean a licensed physician who specializes in the practice

29 of psychiatry, a licensed psychologist, a licensed independent
30 clinical social worker, a licensed mental health counselor, a licensed
31 nurse mental health clinical specialist, or a licensed educational psychologist
32 within the lawful scope of practice for such educational
33 psychologist.

34 SECTION 4. Section 4A of Chapter 176B of the General Laws is
35 hereby amended by striking out the next to the last paragraph,
36 inserted by section 6 of chapter 80 of the acts of 2000, and inserting
37 in place thereof the following paragraph:—

38 For the purposes of this section, “licensed mental health professional”
39 shall mean a licensed physician who specializes in the practice
40 of psychiatry, a licensed psychologist, a licensed independent
41 clinical social worker, a licensed mental health counselor, a licensed
42 nurse mental health clinical specialist, or a licensed educational psychologist
43 within the lawful scope of practice for such educational
44 psychologist.

45 SECTION 5. Section 4M of Chapter 176G of the General Laws is

46 hereby amended by striking out the next to the last paragraph,
47 inserted by section 10 of chapter 80 to the acts of 2000, and inserting
48 in place thereof the following paragraph:—
49 For the purposes of this section, “licensed mental health professional”
50 shall mean a licensed physician who specializes in the practice
51 of psychiatry, a licensed psychologist, a licensed independent
52 clinical social worker, a licensed mental health counselor, a licensed
53 nurse mental health clinical specialist, or a licensed educational psychologist
54 within the lawful scope of practice for such educational
55 psychologist.

56 SECTION 6. This act shall apply to all policies, contracts, agreements,
57 plans and certificates of insurance issued or delivered within
58 or without the commonwealth on or after March 1, 2006, and to all
59 policies, contracts, agreements, plans and certificates of insurance in
60 effect before that date upon renewal or after March 1, 2006.