

HOUSE No. 266

The Commonwealth of Massachusetts

In the Year Two Thousand 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
2 Official Edition, is hereby amended by striking out the first sentence and inserting in place
3 thereof the following sentence:—

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

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

16 65F. No person shall represent himself to the public as a psychotherapist or provide
17 services in psychotherapy, unless he (i) is a physician with a certification in psychiatry and a
18 license in good standing with the board of registration in medicine, a psychologist with a license
19 in good standing with the board of registration of psychologists, a licensed independent clinical
20 social worker or a licensed certified social worker with a license in good standing with the board
21 of registration of social workers, a psychiatric nurse mental health clinical specialist with a
22 license in good standing with the board of registration in nursing, a marriage and family therapist
23 licensed under section 165, or a mental health counselor licensed under section 165 with a
24 license in good standing with the board of registration of allied mental health and human services
25 professionals, and (ii) is practicing within the scope and expertise of such license; or (iii) he is a
26 student, intern or person fulfilling the required supervised experience for licensure in the above
27 professions under the qualified supervision of a licensee and is registered with the board of
28 registration of allied mental health and human services professionals, or (iv) he is a
29 psychoanalyst, not otherwise covered under 65F(i) or 65F(ii), who meets the following
30 certification standards, graduated from a psychoanalytic training program at an accredited
31 psychoanalytic institute; has a minimum of 96 credit hours of psychoanalytic study, whether
32 such study takes place within or after completion of the master's degree or higher, as long as
33 such study includes: a minimum of 60 credit hours of coursework; a minimum of 900 hours of
34 clinical experience, a minimum of 350 of which are individual treatment; a minimum of 200
35 hours of clinical supervision, a minimum of 100 of which are individual supervision; successful
36 completion of (i) a psychoanalytic research thesis or dissertation and (ii) a final comprehensive

37 case presentation; and a minimum of 300 hours of personal analysis, and registers with the board
38 of registration of allied mental health and human services professionals or (v) is a student
39 fulfilling the required supervised experience of an accredited psychoanalytic institute, and is
40 registered with the board of registration of allied mental health and human services professionals.

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

49 Each psychoanalyst as defined in 65F (iv) who has met the certification standards as
50 described under 65F (iv) shall register with the board of registration of allied mental health and
51 human services professionals and shall provide the following information: name, address,
52 telephone number, graduate degrees held and from where they were conferred, name and address
53 of the psychoanalytic institute from which he graduated. Each student as defined in 65F (v)
54 fulfilling the required supervised experience of a psychoanalytic institute shall register with the
55 board of registration of allied mental health and human services professionals and shall provide
56 the following information: name, address, telephone number, name and address of the
57 psychoanalytic institute, and the name and address of supervisor and employer. Registration of
58 such student fulfilling the required supervised experience as defined in 65F (v) shall not exceed a

59 five-year period without approval from the board of registration of allied mental health and
60 human services professionals.