

HOUSE No. 224

The Commonwealth of Massachusetts

PRESENTED BY:

Ruth B. Balser

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 to protect psychotherapy patients.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Ruth B. Balser	12th Middlesex
John W. Scibak	2nd Hampshire
Jennifer L. Flanagan	Worcester and Middlesex
Susan C. Fargo	Third Middlesex
Denise Provost	27th Middlesex
Bruce E. Tarr	First Essex and Middlesex
Jennifer M. Callahan	18th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 203 OF.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO PROTECT PSYCHOTHERAPY PATIENTS.

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. Chapter 112 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by inserting after section 65E the following section:—

3 Section 65F. No person shall hold himself out to the public as a psychotherapist or
4 represent that the service he is offering is psychotherapy, unless (a) he is currently licensed by
5 the board of registration in medicine, board of registration in nursing, board of registration of
6 psychologists, board of registration of social workers, or the board of registration of allied mental
7 health and human services professionals, and he is practicing within the scope of practice of such
8 license or (b) he is a student, intern or person fulfilling supervised experience for licensure in the
9 above professions under the qualified supervision of a licensee. Any person who violates this
10 section shall be punished by a fine of not more than \$1,000 for the first offense and by a fine of
11 not more than \$2,500 for a second or subsequent offense.

12 SECTION 2. Section 65A of chapter 112, as so appearing, is hereby amended by
13 inserting after the first sentence the following paragraph:—

14 The division of professional licensure may, after a consent agreement between the parties
15 or after an opportunity for an adjudicatory hearing held pursuant to chapter 30A, assess and
16 collect a civil administrative penalty not to exceed \$1,000 for the first violation and a civil
17 administrative penalty not to exceed \$2,500 for a second or subsequent violation, upon a person
18 who, without holding the required license or fulfilling supervised experience for licensure under
19 the qualified supervision of a licensee, holds himself out to the public as a psychotherapist or
20 represents that the service he is offering is psychotherapy in violation of section 65F.