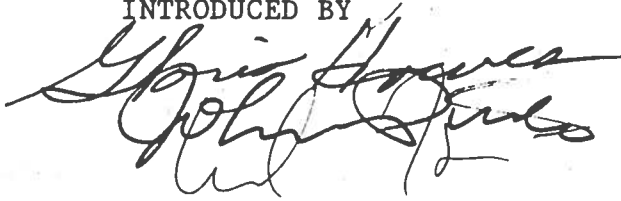


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SENATE BILL *1025*

42ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1995

INTRODUCED BY



AN ACT

RELATING TO HYPNOTHERAPY; AMENDING THE PROFESSIONAL
PSYCHOLOGIST ACT AND THE COUNSELING AND THERAPY PRACTICE ACT;
DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 61-9-16 NMSA 1978 (being Laws 1963,
Chapter 92, Section 15, as amended) is amended to read:

"61-9-16. SCOPE OF ACT.--

A. Nothing in the Professional Psychologist Act
shall be construed to limit:

(1) the activities, services and use of an
official title on the part of a person in the employ of a
federal, state, county or municipal agency or of other
political subdivisions or any educational institution
chartered by the state insofar as such activities, services

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1 and use of any official title are a part of the duties of his
2 office or position with the agency or institution; or

3 (2) the activities and services of a student
4 intern or resident in psychology pursuing a course of study in
5 psychology at a school or college if these activities and
6 services constitute a part of his supervised course of study
7 and no fee is charged directly by the student, intern or
8 resident.

9 B. Nothing in the Professional Psychologist Act
10 shall in any way restrict the use of the term "social
11 psychologist" by any person who has received a doctoral degree
12 in sociology or social psychology from an institution whose
13 credits in sociology or social psychology are acceptable by a
14 school or college and who has passed comprehensive
15 examinations in the field of social psychology as a part of
16 the requirements for the doctoral degree or has had equivalent
17 specialized training in social psychology and who has notified
18 the board of his intention to use the term "social
19 psychologist" and filed a statement of the fact demonstrating
20 his compliance with this subsection. A social psychologist
21 shall not practice in any psychological specialty outside that
22 of social psychology without complying with the provisions of
23 the Professional Psychologist Act.

24 C. Lecturers in psychology from any school or
25 college may utilize their academic or research titles when

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1 invited to present lectures to institutions or organizations.

2 D. Nothing in the Professional Psychologist Act
3 prohibits qualified members of other professional groups who
4 are licensed or regulated under the laws of this state from
5 engaging in activities within the scope of practice of their
6 respective licensing or regulation statutes, but they shall
7 not hold themselves out to the public by any title or
8 description of services that would lead the public to believe
9 that they are psychologists, and they shall not state or imply
10 that they are licensed to practice psychology.

11 E. [~~1~~] Nothing in the Professional
12 Psychologist Act shall be construed to prevent an alternative,
13 metaphysical or holistic practitioner from engaging in
14 nonclinical activities consistent with the standards and codes
15 of ethics of that practice.

16 F. [~~2~~] Specifically exempted from [~~this~~] the
17 Professional Psychologist Act are:

18 [~~a~~] (1) alcohol or drug abuse counselors
19 working under appropriate supervision for a nonprofit
20 corporation, association or similar entity;

21 [~~b~~] (2) peer counselors of domestic
22 violence or independent-living peer counselors working under
23 appropriate supervision in a nonprofit corporation,
24 association or similar entity;

25 [~~e~~] (3) duly ordained, commissioned or

underscored material = ne
[bracketed material] = delete

1 licensed ministers of a church; lay pastoral-care assistants
2 science of mind practitioners providing uncompensated
3 counselor or therapist services on behalf of a church; and
4 Christian Science practitioners;

5 ~~(d)~~ (4) students enrolled in a graduate-
6 level counselor and therapist training program and rendering
7 services under supervision;

8 ~~(e)~~ (5) hypnotherapists [~~certified by the~~
9 ~~American council of hypnotist examiners or the southwest~~
10 ~~hypnotherapists examining board providing nonclinical service~~
11 ~~from July 1, 1994 to June 30, 1998~~];

12 ~~(f)~~ (6) pastoral counselors with master's
13 or doctoral degrees who are certified by the American
14 association of pastoral counselors from July 1, 1994 to June
15 30, 1998; and

16 ~~(g)~~ (7) practitioners of Native American
17 healing arts."

18 Section 2. Section 61-9A-6 NMSA 1978 (being Laws 1993,
19 Chapter 49, Section 6) is amended to read:

20 "61-9A-6. EXEMPTIONS.--

21 A. Nothing in the Counseling and Therapy Practice
22 Act shall be construed to prevent:

23 (1) any individual who is licensed, certified
24 or regulated under the laws of this state from engaging in
25 activities consistent with the standards and ethics of his

1 profession or practice; or

2 (2) an alternative, metaphysical or holistic
3 practitioner from engaging in nonclinical activities
4 consistent with the standards and codes of ethics of that
5 practice.

6 B. Specifically exempted from [~~this act~~] the
7 Counseling and Therapy Practice Act are:

8 (1) elementary and secondary school
9 counselors acting on behalf of their employer, who are
10 otherwise regulated;

11 (2) alcohol or drug abuse counselors working
12 under appropriate supervision for a nonprofit corporation,
13 association or similar entity;

14 (3) peer counselors of domestic violence or
15 independent-living peer counselors working under appropriate
16 supervision in a nonprofit corporation, association or similar
17 entity;

18 (4) duly ordained, commissioned or licensed
19 ministers of a church or lay pastoral-care assistants
20 providing pastoral services on behalf of a church;

21 (5) students enrolled in a graduate-level
22 counselor and therapist training program and rendering
23 services under supervision;

24 (6) hypnotherapists [~~certified by the~~
25 ~~American council of hypnotist examiners or the southwest~~

1 ~~hypnotherapists examining board providing nonclinical services~~
2 ~~from July 1, 1994 to June 30, 1998];~~

3 (7) pastoral counselors with master's or
4 doctoral degrees who are certified by the American associatio
5 of pastoral counselors from July 1, 1994 to June 30, 1998;

6 (8) practitioners of Native American healing
7 arts; and

8 (9) state employees at the discretion of the
9 department secretary."

10 Section 3. EMERGENCY.--It is necessary for the public
11 peace, health and safety that this act take effect
12 immediately.

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State of New Mexico
Senate

FORTY-SECOND LEGISLATURE
FIRST SESSION, 1995

SB 1025/a

March 3, 1995

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred
SENATE BILL 1025


has had it under consideration and reports same with recommendation
that it DO PASS, amended as follows:

1. On page 4, line 8, after "hypnotherapists" insert
"certified by a national certification organization, approved by
the state license and regulation department;

2. On page 5, line 24, after "hypnotherapists" insert
"certified by the national certification organization".

and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,



Shannon Robinson, Chairman

Adopted 
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date 3/6/95

S1025PA1

State of New Mexico
Senate

FORTY-SECOND LEGISLATURE
FIRST SESSION, 1995

SB 1025a

March 9, 1995

Mr. President:

Your JUDICIARY COMMITTEE, to whom has been referred

SENATE BILL 1025, as amended

has had it under consideration and reports same with recommendation
that it DO PASS, amended as follows:

1. Strike Senate Public Affairs Committee amendment 2.
2. On page 5, line 24, after "hypnotherapists" insert
"certified by a national certification organization".

Respectfully submitted,


Janice D. Paster, Chairman

Adopted 
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date 3/9/95

S1025JU1