

RECOMMENDATIONS

In this section, the Committee makes a number of specific recommendations for adoption as APA policy. Some of them are reaffirmations of policies already adopted, in 1955, 1958, 1959, and 1963; others are new, representing suggestions made by the ad hoc Committee on Scientific and Professional Aims in Psychology, by state boards and associations, and policies growing out of discussions within the Committee on Legislation. The goal is to get into one document, for the guidance of all, what is official APA policy with respect to state legislation in 1967. This present report, however, does not include the extended written discussion that led to the various 1955 recommendations that are reaffirmed here. The interested reader who compares the 1955 statement with the 1967 one will find differences in vocabulary and a less permissive tone to the 1967 recommendations. In 1955 there were only 9 laws; now there are 41, and more experience data are available.

A. *Type of Legislation*

The 1955 Joint Report of the APA and CSPA Committees on Legislation elaborated on a variety of forms which regulatory laws might take. The primary distinction among the forms lay in the degree of restriction and control exercised over psychological work. The extreme degree of restriction would define a vocation solely in terms of its functions. As the 1955 statement indicated "anyone doing these things is *ipso facto* practicing psychology no matter what he calls himself and comes under the purview of the law." We are opposed to such restrictions on the grounds that many psychological methods, practices and activities are engaged in by large numbers of individuals and groups who are not psychologists. No current law is this restrictive.

The descriptive terms used in the 1955 report for the various kinds of legislation did not prove viable, and it is now the custom merely to speak of *licensing* and *certification* laws. A licensing law defines the practice of psychology and restricts the function to qualified persons, who may be psychologists, or who may be members of other professions using psychological techniques. A certification law, on the other hand, limits the use of the title "psychologist" to qualified persons; it may or may not have a definition of practice. Put more simply, a licensing law covers the practice of psychology no matter what the person calls himself, a certification law covers the practice of psychology only when the person wishes to call himself a psychologist. The actual words used in the laws do not necessarily indicate the nature of the law; several of the "licensing" laws are really certification laws, in that the use of the title is the controlled factor.

The Committee regards the following three issues as critical ones:

Preemption. Just as psychologists were concerned in past years about the possibility of other vocational legislation preempting their rights to certain practices, so now we should be exceedingly careful to ensure that our regulatory efforts do not have a preemptive effect upon other recognized professional groups, not identified as psychologists, but who use psychological techniques and methods in their work. This principal appeared originally as Principle 5.1 in "Psychology and Its Relation with Other Professions," adopted in September 1953:

"The professional services rendered by psychologists vary greatly in their distinctiveness. Some are rarely carried out by nonpsychologists; others are shared with several other professional groups. Public welfare is advanced by the competent performance of socially useful services by a number of professions. Psychology believes it undesirable to attempt to control the practice of all psychological functions by restricting them to members of any single profession *except insofar as it can be clearly demonstrated that such restriction is necessary for the protection of the public*. Psychology, therefore, does not favor narrowly restrictive legislation, which provides that only psychologists (or teachers, or physicians, etc.) may engage in certain applications of psychological knowledge and techniques."

Innovation. The more restrictive are our regulatory laws, the more potential there is for the inhibition of innovative developments in psychological techniques and practices. Psychologists have a responsibility to ensure that provisions and interpretations of regulatory laws do not impede the evolution of psychological practices.

Legal definition of vocations. In the use of exclusions of various vocations in the regulatory laws a predictable problem will emerge. While a number of vocations may come to mind as logical ones to exclude from psychology laws, in some states it may be impossible to cite vocations that are not legally defined in state