

law. It is incumbent upon psychologists to bend every effort to avoid any action which may have discriminatory effects as a function of the presence or absence of legal definition of recognized vocational groups within a state. Rules and regulations of the examining boards may be written to ensure what may be impossible in law.

Because of the interprofessional climate at the time, and the assumed difficulty in writing a definition of the practice of psychology, the 1955 statement recommended that legislation take the form of certification, although the development of licensing legislation was encouraged. Now, however, the interprofessional situation is no longer a factor, and the states have one after the other developed definitions that seem to be working. Of the state laws passed since 1955, 28 contain definitions of the practice of psychology. There does not seem to be any argument regarding which type of regulatory legislation is better for the public. Licensing provides greater protection for the public. It can control quackery if properly enforced whereas certification per se cannot. In a licensing law which provides for title and/or function, the nonlicensed cannot use the title and/or cannot perform the functions.

The Committee on Legislation therefore recommends that APA policy with respect to type of legislation be as follows:

"1. States seeking legislation regulating the practice of psychology should attempt to develop laws falling in the category of licensing legislation."

Integral to a licensing act is a definition of the practice of psychology. The Committee has hesitated in the past to recommend a specific definition, but now that there are over 20 of them on the books, it seems reasonable to suggest one. There are several principles involved. First the use of the title should be covered as well as the function defined. Second, the definitions should be as broad as possible, in order to cover all activities of psychologists as psychologists; other provisions in the law take care of employment settings that may be exempted, or of persons in related fields whose activities may include some of a psychological nature. Third, there should be a definition of psychotherapy, if possible. The Committee feels, however, that the inclusion of such a definition, or even the use of the word "psychotherapy" (as opposed to "behavior modification," for example), should not be considered critical if there is support from the medical profession for all other aspects of the proposed legislation.

With these principles in mind, the Committee recommends the following series of definitions:

"2. A person represents himself to be a psychologist when he holds himself out to the public by any title or description of services incorporating the words "psychology," "psychological," "psychologist," and/or offers to render or renders services as defined below to individuals, groups, organizations, or the public for a fee, monetary or otherwise.

"The practice of psychology within the meaning of this act is defined as rendering to individuals, groups, organizations, or the public any psychological service involving the application of principles, methods, and procedures of understanding, predicting, and influencing behavior, such as the principles pertaining to learning, perception, motivation, thinking, emotions, and interpersonal relationships; the methods and procedures of interviewing, counseling, and psychotherapy; of constructing, administering, and interpreting tests of mental abilities; aptitudes, interests, attitudes, personality characteristics, emotion, and motivation; and of assessing public opinion."

"The application of said principles and methods includes, but is not restricted to: diagnosis, prevention, and amelioration of adjustment problems and emotional and mental disorders of individuals and groups; hypnosis; educational and vocational counseling; personnel selection and management; the evaluation and planning for effective work and learning situations; advertising and market research; and the resolution of interpersonal and social conflicts.

"Psychotherapy within the meaning of this act means the use of learning, conditioning methods, and emotional reactions, in a professional relationship, to assist a person or persons to modify feelings, attitudes, and behavior which are intellectually, socially, or emotionally maladjustive or ineffectual.

"The practice of psychology shall be as defined above, any existing statute in the state of ——— to the contrary notwithstanding."

Upon the advice of legal counsel, the Committee recommends that the wording of the provision covering exemption of members of other professions be as follows: