

Dr. STARR. Without any wide understanding of how laws operate, it would seem to me that if the burden is put on the practitioner that he must know what at least he cannot know or does not know. This is the same burden under which medical practitioners operate all the time, to know the limits of your competence, to not open an abdomen if you are not competent to deal with everything in it.

Mr. JACOBS. We are really talking about a "knowingly" prohibition rather than a malpractice. When we say that the psychologist is not to treat a medical problem, do we really mean he is not to knowingly treat a medical problem, and if so, do we not have evidentiary problems that would delight the wildest Philadelphia lawyer?

Dr. STARR. I think it is within the limits of his competence to make a positive judgment about what he can manage, and what I am asking is that legislation put the burden on him to stop at what he knows he can manage.

Mr. JACOBS. That is a knowingly situation.

Dr. STARR. You know what you can manage but you are not always able to evaluate what you cannot manage in terms of what the proper disposition would be.

Mr. JACOBS. My experience has been that some objective standards beyond the subject of knowing, a person doing right or wrong or proper or improper acts, is most desirable. Some objective standards. You might, in fact all of those interested in this legislation might consider that point, and I am sure the committee will consider it very beneficial to have views along those lines.

I am not talking about the competent practice of politics or even of law now. This is a highly technical matter about which I know little and would like to know more.

Dr. STARR. As Dr. Legault pointed out, what societies were trying to do in discussions with the psychologists was come up with some kind of standards in part.

Mr. JACOBS. Thank you very much, Doctor.

Mr. SISK. Are there any other questions?

Mr. Gude of Maryland.

Mr. GUDE. I believe Dr. Starr has well pointed up what to me is a real concern.

If a psychologist is licensed or certified in the District, the general public feels they are putting themselves into the hands of people who are able to deal with problems which actually might be beyond their competency as professionals.

It is brought to my attention that by virtue of Title 47, Section 2344 of the D.C. Code the government of the District of Columbia is authorized and empowered within its discretion to require a license of other businesses not listed in the D.C. Code which in its judgment require supervision and regulation. Perhaps the D.C. Council might well hold hearings on some of these activities you mentioned regarding marriage counseling, family counseling, etc.

Thank you.

Mr. SISK. Are there other questions?

Thank you, Dr. Starr, very much.

This concludes the witnesses except for the D.C. Government witnesses, and at this time, without objection, I am going to put in the record a statement signed by Mr. Thomas W. Fletcher, Assistant to Commissioner Walter Washington.