

Mr. SISK. I might tell you here, parenthetically, that in discussion with the staff this morning, I had some problem with the definition of counseling and psychotherapy. I was curious to have your definition or any comments you have on it.

Dr. CUMMINGS. Might I say at the outset, it is probably a little difficult to define psychotherapy and counseling. It might be possible to say that one of the sources of difficulty among various professions may be the very absence of a generally agreed upon definition.

Let us leave psychotherapy at one side for the moment, because I—I think I speak for my Association—do subscribe to the definition of psychotherapy which I have just read and which is from the North Carolina statute, and which you will find in the notes there.

Where counseling is concerned, I can only say that it is a murky problem. It is an activity which on the one hand people talk about confidently doing, and yet on the other hand they find it very difficult to define it or sometimes to differentiate it from some form of psychotherapy.

I think the most important observation we can make is that so many qualified, ethical professionals of a variety of professions do in fact use what they call counseling. We have marriage counselors, which in many States have regulatory authority and legislation controlling them. We have vocational counselors, educational counselors. Without stretching the point too much, lawyers are often referred to as counselors. Ministers and priests and rabbis have as an important part of their activities the act of counseling.

At one point here in what I have handed to you, at the bottom of page 3, we issue a heartfelt and friendly warning to our psychiatrist colleagues. I do not believe they really intended to bring the term "counseling" into the practice of medicine, because I would fear they would be bringing down a torrent of objections on their heads from so many other folks who are in fact doing what is called counseling with people who have one or another kind of difficulty.

Mr. SISK. I want to clarify a bit, if I may, what I mean, and then I will yield to the gentleman from Ohio.

I appreciate what I understand to be your definition and explanation. Without making comment on the definition found in the North Carolina law, I do not want to get into a controversy between you gentlemen; as a matter of clarification and for the edification of the committee, Dr. Legault, your definition as contained in your first proposed amendment to Section 3(E), frankly, is what I am having a problem with, because you are defining a term with the same term. I am curious to know, first, do you find any fault with the definition in the North Carolina Act?

Dr. LEGAULT. No, sir, we do not. The problem concerning the language of the bill, particularly the utilization of the term "counseling", has to do with the fact that, as has been noted, the regulatory provisions of the Act have to be carefully spelled out. If one does not include the term "counseling", then the activity of counseling the mentally ill is thereby given a loophole in the bill.

We are concerned with the problem of counseling those individuals who suffer from mental disease, and we wish to specify that this is a medical function. This is, therefore, the meaning of our attempting to define the "practice of counseling and psychotherapy" in Section 3(E)