

The question, however, is writing the law such that it will not allow evasion. The evasion that may take place in the law has to do with this particular activity, the practice of counselling and psychotherapy. Any loose wording with respect to this, any absence of making provisions which shall specify who shall do this particular thing with the mentally ill will provide great temptations to people to attempt to evade it.

Mr. SISK. Thank you, Dr. Legault.

Now, Dr. Cummings, you may make a comment here. Then we are going to move on to the next amendment. I want to quickly try to review at least the high points of all the amendments.

Dr. Cummings.

Dr. CUMMINGS. First I want to say that one thing Dr. Legault said about the State of Virginia is in fact true. It is, in fact, the only statute which does include that provision. But it is not in accord with the APA code or the guidelines for shaping psychology legislation in the States. Mrs. Hildreth, would you care to comment on that?

Mrs. HILDRETH. I just affirm that. Virginia is the only State that requires separate licensure of any kind of psychologists. It happens to be the clinical psychologist.

Mr. SISK. In other words, in the State of Virginia, as I understand it, a person can be licensed to practice psychology in its broadest terms; but if he is going to be a clinical psychologist and practice psychotherapy, in the area that we are discussing now, he has to secure an additional license.

Mrs. HILDRETH. Yes, sir.

Mr. SISK. Fine. I think we have gone far enough on that. I notice on page 4 again there is this term in which it is suggested as an amendment in line 6, they suggest "and are not the practice of counseling and psychotherapy." They again spell out the same thing at the bottom of the page, a similar insertion, "other than counseling and psychotherapy." We have pretty well covered the situation where there is some difference of opinion by the two professions involved here. I think the committee, in its wisdom, with whatever information we can gather, as a policy matter is going to have to make the policy determination on this. I am not saying we are more intelligent or better prepared to make it than you gentlemen are, but at some point we are going to have to be the referee. We will have to consider the best evidence available on this.

SECTION 7. QUALIFICATION TO PRACTICE; EXAMINATION

I would like to move over to page 6 where there are several amendments proposed. Dr. Cummings, would you briefly comment on the proposals on page 6? And if I have skipped over something which is of note, will you comment briefly on that also?

Dr. CUMMINGS. I do not have any in addition.

You now have reference to Section 7?

Mr. SISK. Yes.

Dr. CUMMINGS. Fine. The psychiatrists have suggested the addition of a subsection applying specifically to counseling and psychotherapy, where examinations are concerned. For reasons stated above we reject this subsection. We would respectfully observe that Section 7(C) allows for the tailoring of examinations to the various types of special-