

we will bring it into balance with Section 12 by substituting the word "Council" for "Commissioner", on page 11, line 5.

Mr. SISK. Yes. That is at the top of page 11.

Dr. CUMMINGS. Mr. Whitener was very right about that. We thank you for that change.

SECTION 16. PENALTY PROVISIONS

Mr. SISK. Now we move over to Section 16, where they do a rewrite, striking out existing language and putting in new language, to read as follows:

SEC. 16. Any person who shall violate any of the provisions of this Act shall, upon conviction of such violation, be punished for the first offense by a fine of not more than \$500 or by confinement in jail for not more than six months, or both; for the second offense, by a fine of not more than \$1,000 or by imprisonment for not more than one year, or both; and for the third and subsequent offenses, by a fine of not more than \$5,000 or imprisonment for not more than five years, or both.

Will you comment quickly on that?

Dr. CUMMINGS. Yes. For some reason I don't have that right here, but I think what the psychiatrists have done there is very helpful. I believe this is a further spelling out of the penalties involved in the Act.

Mr. SISK. It actually increases the penalties?

Dr. CUMMINGS. Yes, it increases them. It is our opinion that we accept that, with thanks.

Mr. SISK. Fine. Of course, again I am sure in Section 17 the addition of "counseling and psychotherapy" would meet with the same response.

Dr. CUMMINGS. At two places: in the first sentence, and in the next to the last sentence of the psychiatrists' proposed amendment.

Mr. SISK. You object to those on the same ground?

Dr. CUMMINGS. Yes.

SECTION 19. PRIVILEGED COMMUNICATIONS

Mr. SISK. They do a rewrite of Section 19 and Section 20.

SEC. 19. Title 14, D.C. Code, § 307 (77 Stat. 519) is amended by adding the words "or psychologist" after the word "surgeon" and before the word "may" in the first sentence thereof.

Dr. CUMMINGS. As to Section 19, could I have Mr. Chambers respond to that?

Mr. CHAMBERS. I am Reed Chambers, counsel to the D.C. Psychological Association. Section 19 in the original bill was appropriate, we felt, for the psychologists, for two reasons that are not in Title 14, Section 307. First, the original Section 19 gives the psychologist an exemption from privilege. In other words, he can divulge confidential communications that his client made to him. If he is sued by his client for unethical practice or malpractice, that is. It is the same kind of protection available to lawyers, for example, and we think it is simply appropriate to psychologists.