

petence to continue or resume the practice of psychology, *and if desired, counseling and psychotherapy.*

SEC. 14. The Commissioner may refuse, revoke, or suspend licensure or certification if the person applying or the person licensed or certified be—

- (A) convicted of a crime involving moral turpitude;
- (B) found to be using any drug or any alcoholic beverage to an extent or in a manner dangerous to himself, any other person, or the public, or to an extent that such use impairs his ability to perform the work of a psychologist with safety to the public;
- (C) convicted of a violation of any provision of this Act or of the regulations or rules promulgated pursuant thereto;
- (D) determined to be a mental incompetent by a court with proper jurisdiction; or
- (E) found guilty of the unethical practice of psychology in violation of standards to be established by the District of Columbia council.

SEC. 15. (A) Proceedings leading toward the suspension or revocation of a license or certificate shall be begun by petition, setting forth good cause therefor, filed with the Commissioner and served on the respondent.

The Commissioner may determine whether a license or certificate shall be suspended or revoked, and if it is to be suspended the duration of such suspension and the conditions under which such suspension shall terminate. Revocation of a license shall not preclude the issuance after the passage of at least five years of a new license or registration to the offender, provided such person can show that he has complied with the provisions of this Act.

(B) Before revoking, suspending or refusing to issue a license or *endorsement* for any cause under the provisions of this Act, the Commissioner shall give the person whose right to practice psychology is challenged an opportunity to be heard in person or by attorney, and to produce witnesses on his behalf. After such hearing, should the Commissioner decide to refuse, revoke, or suspend licensure or *endorsement*, he shall set forth in writing his reasons for so doing, and shall include detailed findings of fact.

(C) Any person who feels aggrieved by a decision of the Commissioner under subsection (B) of this section may, within thirty days after receiving notice thereof, seek review of said decision in the District of Columbia Court of Appeals. Such review shall be subject to appeal to the United States Court of Appeals for the District of Columbia Circuit.

(D) In hearings conducted pursuant to subsection (B)' of this section, the attendance and testimony of witnesses may be compelled by subpoena. Any person refusing to respond to such a subpoena shall be guilty of contempt of court and may be punished as other persons guilty of contempt of court are punished.

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.

SEC. 17. The unlawful practice of psychology or *counseling and psychotherapy* as defined in this Act may be enjoined by the United States District Court for the District of Columbia on petition by the Commissioner, upon a finding that the person sought to be enjoined is guilty of a violation of the provisions of this Act. In any such proceeding it shall not be necessary to show that any person is individually injured by the actions complained of. If the respondent is found guilty of the unlawful practice of psychology or *counseling and psychotherapy*, the court shall enjoin him from so practicing unless and until he has been duly licensed. The remedy by injunction hereby given is in addition to criminal prosecution and punishment based thereon, and not in lieu thereof.

SEC. 18. It shall be the duty of the Commissioner of the District of Columbia to enforce the provisions of this Act.

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.*

SEC. 20. *Nothing in this Act shall be construed to limit or restrict qualified members of other professions in the practice of their respective professions: Provided, That they do not hold themselves out to the public by any title or description stating or implying that they are practicing psychologists or are licensed to practice psychology as defined in this Act.*