
A BILL FOR AN ACT

RELATING TO PSYCHOLOGICAL TESTING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 451J-1, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 "Psychological testing" means the use of samples of
5 behavior in order to assess psychological constructs, such as
6 cognitive and emotional functioning, about a given individual."

7 SECTION 2. Section 457-2, Hawaii Revised Statutes, is
8 amended by adding a new definition to be appropriately inserted
9 and to read as follows:

10 "Psychological testing" means the use of samples of
11 behavior in order to assess psychological constructs, such as
12 cognitive and emotional functioning, about a given individual."

13 SECTION 3. Section 465-1, Hawaii Revised Statutes, is
14 amended by adding a new definition to be appropriately inserted
15 and to read as follows:

16 "Psychological testing" means the use of samples of
17 behavior in order to assess psychological constructs, such as
18 cognitive and emotional functioning, about a given individual."



1 SECTION 4. Section 467E-1, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 "Psychological testing" means the use of samples of
5 behavior in order to assess psychological constructs, such as
6 cognitive and emotional functioning, about a given individual."

7 SECTION 5. Section 451J-1, Hawaii Revised Statutes, is
8 amended by amending the definition of "marriage and family
9 therapy practice" to read as follows:

10 "Marriage and family therapy practice" means the
11 application of psychotherapeutic and family systems theories and
12 techniques in the delivery of services to individuals, couples,
13 or families in order to diagnose and treat mental, emotional,
14 and nervous disorders, whether these are behavioral, cognitive,
15 or affective, within the context of the individual's
16 relationships. Marriage and family therapy is offered directly
17 to the general public or through organizations, either public or
18 private, for a fee or through pro bono work. Marriage and
19 family therapists assist individuals, couples, and families to
20 achieve more adequate, satisfying, and productive social
21 relationships, enable individuals to improve behavioral or
22 psychological functioning, and help individuals reduce distress



1 or disability. Marriage and family therapy includes but is not
2 limited to:

3 (1) Assessment and diagnosis of presenting problems
4 through inquiry, observation, psychological testing,
5 evaluation, integration of diagnostic information from
6 adjunctive resources, description, and interpretation
7 of verbal and non-verbal communication, thought
8 processes, beliefs, affect, boundaries, roles, life
9 cycle stages, family interaction patterns, economic,
10 social, emotional, and mental functioning, in order to
11 identify specific dysfunctions and to identify the
12 presence of disorders as identified in the Diagnostic
13 and Statistical Manual of Mental Disorders;

14 (2) Designing and developing treatment plans by
15 incorporating and integrating recognized family system
16 theories, communication principles, crisis counseling
17 principles, cognitive and behavioral counseling
18 principles, or psychotherapeutic techniques in
19 establishing short- and long-term goals and
20 interventions collaboratively with the client; and

21 (3) Implementing and evaluating the course of treatment by
22 incorporating family systems theories to assist



1 individuals, couples, and families to achieve more
2 adequate, satisfying, and productive social
3 relationships, to enable individuals to improve
4 behavioral or psychological functioning, and to help
5 individuals reduce distress or disability by improving
6 problem solving skills, decision making skills,
7 communication and other relationship interaction
8 patterns, identification of strengths and weaknesses,
9 understanding or resolution of interpersonal or
10 intrapersonal issues, recognition, development, and
11 expression of appropriate affect, and referral to
12 adjunctive medical, psychological, psychiatric,
13 educational, legal, or social resources."

14 SECTION 6. Section 453-5.3, Hawaii Revised Statutes, is
15 amended by amending subsections (a) and (b) to read as follows:

16 "(a) The Hawaii medical board shall require each person
17 practicing medicine under the supervision of a physician or
18 osteopathic physician, other than a person licensed under
19 section 453-3, to be licensed as a physician assistant. A
20 person who is trained to do only a very limited number of
21 diagnostic or therapeutic procedures under the direction of a
22 physician or osteopathic physician, other than psychological



1 testing, shall not be deemed a practitioner of medicine or
2 osteopathy and therefore does not require licensure under this
3 section.

4 (b) The board shall establish medical educational and
5 training standards with which a person applying for licensure as
6 a physician assistant shall comply[-]; provided that a master's
7 degree or doctoral degree in psychology, psychiatry, clinical
8 social work, or related fields from an accredited institution
9 shall be required for a physician assistant to engage in
10 psychological testing. The standards shall be at least equal to
11 recognized national education and training standards for
12 physician assistants.

13 For the purposes of this subsection, "psychological
14 testing" means the use of samples of behavior in order to assess
15 psychological constructs, such as cognitive and emotional
16 functioning, about a given individual."

17 SECTION 7. Section 457-2, Hawaii Revised Statutes, is
18 amended by amending the definition of "advanced practice
19 registered nurse" to read as follows:

20 ""Advanced practice registered nurse" means a registered
21 nurse who has met the qualifications for advanced practice
22 registered nurse set forth in this chapter and through rules of



1 the board, which shall include educational requirements. An
2 advanced practice registered nurse may be authorized to provide
3 psychological testing to patients through rules adopted by the
4 board."

5 SECTION 8. Section 467E-1, Hawaii Revised Statutes, is
6 amended by amending the definition of "practice of social work"
7 to read as follows:

8 ""Practice of social work" means applying the formal
9 knowledge base, theoretical concepts, specific functional
10 skills, and essential social values that are used to effect
11 change in human behavior, emotional responses, and social
12 conditions, and helping individuals, couples, families, groups,
13 and community organizations enhance or restore their capacities
14 for personal and social functioning while preventing and
15 controlling social problems. Social work practice is the
16 professional application of social work values, principles,
17 ethics, and techniques in the following areas:

- 18 (1) Information, resource identification, referral
19 services, mediation services, advocacy services, and
20 education of individuals, groups, couples, and
21 families;



- 1 (2) Preparation and evaluation of assessments and
2 development and implementation of social work service
3 plans;
- 4 (3) Case management, coordination, casework intervention,
5 and monitoring of social work service plans in the
6 areas of personal, social, or economic resources,
7 conditions, or problems;
- 8 (4) Administration and development of social service
9 programs, policies, community organization, planning,
10 implementation, and involvement in the evaluation of
11 social systems and social policies;
- 12 (5) Social work consultation and resource development;
- 13 (6) Research through the formal design and methodology of
14 data collection and the analysis and evaluation of
15 data, social work programs, social systems, and social
16 policies;
- 17 (7) Psychosocial assessment, psychological testing,
18 diagnostic impressions, treatment of individuals,
19 couples, families, and groups, prevention of
20 psychosocial dysfunction, disability, or impairment,
21 including emotional, mental, and behavioral disorders,
22 and evaluation of practice effectiveness; and



1 (8) Clinical diagnosis or psychotherapy, or both, provided
2 by a licensed clinical social worker."

3 SECTION 9. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 10. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 11. This Act shall take effect on January 1, 2011.
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INTRODUCED BY:

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Report Title:

Psychological Testing; Professions and Occupations

Description:

Authorizes social workers, marriage and family therapists, advanced practice registered nurses, and physician assistants to engage in psychological testing, provided that they hold at least master's degrees. Defines "psychological testing".

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