

HRS CHAPTER 465
PSYCHOLOGISTS

§465-13 Denial, suspension, revocation of license, or probation of a license holder.

(a) In addition to any other actions authorized by law, the board shall refuse to grant a license to any applicant and may revoke or suspend any license, or may place a license, or may put a license holder on conditional probation, for any cause authorized by law, including but not limited to the following:

(1) Professional misconduct, gross carelessness, manifest incapacity, or incompetency in the practice of psychology;

(2) Violation of this chapter by the applicant within one year of the application, or violation of this chapter by a license holder any time the license is valid;

(3) Any unethical practice of psychology as defined by the board in accordance with its own rules;

(4) Fraud or deception in applying for or procuring a license to practice psychology as defined in section 465-1;

(5) Conviction of a crime substantially related to the qualifications, functions, or duties of psychologists;

(6) Wilful unauthorized communication of information received in professional confidence;

(7) The suspension, revocation, or imposition of probationary conditions by another state of a license or certificate to practice psychology issued by that state if the act for which the disciplinary action was taken constitutes a violation of this chapter;

(8) The commission of any dishonest, corrupt, or fraudulent act or any act of sexual abuse, or sexual relations with a client, or sexual misconduct that is substantially related to the qualifications, functions, or duties of a psychologist;

(9) Harassment, intimidation, or abuse, sexual or otherwise, of a client or patient;

(10) Exercising undue influence in the manner as to exploit the client, patient, student, or supervisee for financial or other personal advantage to the practitioner or a third party;

(11) Conviction of fraud in filing medicaid claims or conviction of fraud in filing claims to any third party payor, for which a copy of the record of conviction, certified by the clerk of the court entering the conviction, shall be conclusive evidence;

(12) Aiding or abetting any unlicensed person to engage in the practice of psychology;

(13) Repeated acts of excessive treatment or use of diagnostic procedures as determined by the standard of the local community of licensees;

(14) Inability to practice psychology with reasonable skill and safety to patients or clients by reason of illness, inebriation, or excessive use of any substance, or as a result of any mental or physical condition;

(15) Conviction of any crime or offense that reflects the inability of the practitioner to practice psychology with due regard for the health and safety of clients or patients;

(16) Use of untruthful or deceptive or improbable statements concerning the licensee's qualifications or the effects or results of proposed treatment;

(17) Functioning outside of the licensee's professional competence established by education, training, and experience;

(18) Refusal to comply with any written order of the board;

(19) Making any fraudulent or untrue statement to the board; or

(20) Violation of a board rule.

(b) The board at its discretion may order any licensee who is placed on probation or whose license is suspended to obtain additional training and to take an examination as prescribed by the board.

[L 1967, c 290, pt of §1; HRS §465-13; am L 1974, c 205, §2(26); am L 1981, c 99, §2; am L 1983, c 95, §6 and c 136, §6; am L 1984, c 95, §10; am L 1985, c 115, §14; am L 1987, c 72, §5; am L 1992, c 202, §161; am L 1994, c 125, §5]

Cross References:

Psychologist-client privilege, see §626-1, rule 504.1.