

(1994 Replacement Volume and 1997 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - Courts and Judicial Proceedings**

**9-109.1.**

(a) (1) In this section, the following words have the meanings indicated.

(2) "Client" means an individual who communicates to or receives services from a psychiatric-mental health nursing specialist or a professional counselor regarding the diagnosis or treatment of the individual's mental or emotional disorder.

(3) "Professional counselor" means an individual who is certified OR LICENSED as a counselor under Title 17 of the Health Occupations Article.

(4) "Psychiatric-mental health nursing specialist" means a registered nurse who:

(i) Has a master's degree in psychiatric-mental health nursing; or

(ii) Has a baccalaureate degree in nursing and a master's degree in a mental health field; or

(iii) Is certified as a clinical specialist in psychiatric and mental health nursing by the American Nurses' Association or by a body approved by the Board of Nursing.

(b) Unless otherwise provided, in any judicial, legislative, or administrative proceeding, a client or a client's authorized representative has a privilege to refuse to disclose, and to prevent a witness from disclosing, communications relating to diagnosis or treatment of the client's mental or emotional disorder.

**Article - Health Occupations**

**17-101.**

(c) (1) "Appraisal" means:

(1) Selecting, administering, scoring, and interpreting instruments designed to assess an individual's aptitudes, attitudes, abilities, achievements, interests, and personal characteristics; and

(2) Using nonstandardized methods and techniques for understanding human behavior in relation to coping with, adapting to, or changing life situations.

(3) THE INSTRUMENTS REFERENCED IN § 17-101(C)(1) MAY NOT

(2) "APPRAISAL" DOES NOT INCLUDE INSTRUMENTS WHICH REQUIRE SPECIALIZED PSYCHOLOGICAL TRAINING FOR ADMINISTRATION AND INTERPRETATION UNLESS THE LICENSED OR CERTIFIED PROFESSIONAL