

By: Romero, Jr.

H.B. No. 3626

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the licensing of certain out-of-state applicants as a  
3 psychologist, marriage and family therapist, professional  
4 counselor, or social worker.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 501.2525(c), Occupations Code, is  
7 amended to read as follows:

8 (c) Subsection (a)(2)(A) does not apply to an applicant who:

9 (1) is licensed in good standing in another state to  
10 independently practice psychology; and

11 (2) has independently practiced psychology in that  
12 state for at least the two [five] years preceding the date the  
13 application is submitted.

14 SECTION 2. Section 501.256(c), Occupations Code, is amended  
15 to read as follows:

16 (c) The executive council may waive the discipline and  
17 professional segment of the examination requirement for an  
18 applicant who:

19 (1) is a specialist of the American Board of  
20 Professional Psychology; ~~or~~

21 (2) in the executive council's judgment, has  
22 demonstrated competence in the areas covered by the examination; or

23 (3) meets the criteria provided by Section  
24 501.2525(c).

1 SECTION 3. Section 502.252, Occupations Code, is amended by  
2 adding Subsection (d) to read as follows:

3 (d) Subsections (c)(2) and (c)(3) do not apply to an  
4 applicant who:

5 (1) is licensed in good standing in another state to  
6 independently practice as a licensed marriage and family therapist;  
7 and

8 (2) has independently practiced as a licensed marriage  
9 and family therapist in that state for at least the two years  
10 preceding the date the application is submitted.

11 SECTION 4. Section 502.2545(a), Occupations Code, is  
12 amended to read as follows:

13 (a) The executive council may waive the requirement that an  
14 applicant for a license as a licensed marriage and family therapist  
15 pass the examination required by Section 502.254 if the applicant:

16 (1) is a provisional license holder under Section  
17 502.259 and the executive council determines that the applicant  
18 possesses sufficient education and professional experience to  
19 receive a license without further examination; ~~or~~

20 (2) holds a license issued by another licensing agency  
21 in a profession related to the practice of marriage and family  
22 therapy and the executive council determines that the applicant  
23 possesses sufficient education and professional experience to  
24 receive a license without satisfying the examination requirements  
25 of this chapter; or

26 (3) meets the criteria provided by Section 502.252(d).

27 SECTION 5. Section 503.302, Occupations Code, is amended by

1 adding Subsections (a-1) and (a-2) to read as follows:

2 (a-1) Subsection (a)(4) does not apply to an applicant who:

3 (1) is licensed in good standing in another state to  
4 independently practice as a professional counselor or as an art  
5 therapist; and

6 (2) has independently practiced as a professional  
7 counselor or an art therapist in that state for at least the two  
8 years preceding the date the application is submitted.

9 (a-2) The executive council may waive the requirement that  
10 an applicant pass the license examination required by Subsection  
11 (a)(5) if the applicant meets the criteria provided by Subsection  
12 (a-1). The applicant must pass the jurisprudence examination.

13 SECTION 6. Section 505.3575, Occupations Code, is amended  
14 by amending Subsection (a) and adding Subsection (c) to read as  
15 follows:

16 (a) Notwithstanding any other licensing requirement of this  
17 subchapter:

18 (1) the executive council may not require an applicant  
19 who is licensed in good standing in another state to pass a  
20 licensing examination conducted by the executive council under  
21 Section 505.354 if an applicant with substantially equivalent  
22 experience who resides in this state would not be required to take  
23 the licensing examination; ~~and~~

24 (2) the executive council may waive the requirement  
25 that an applicant not otherwise described by Subdivision (1) pass a  
26 licensing examination conducted by the executive council under  
27 Section 505.354 if the applicant:

1           (A) is licensed in good standing in another state  
2 to independently practice as a social worker; and

3           (B) has independently practiced as a licensed  
4 social worker in that state for at least the two years preceding the  
5 date the application is submitted; and

6           (3) the executive council may issue a license to an  
7 applicant who is currently licensed in another state to  
8 independently practice social work if:

9           (A) after an assessment, the executive council  
10 determines that the applicant:

11                   (i) demonstrates sufficient experience and  
12 competence, subject to Subsection (c);

13                   (ii) has passed the jurisprudence  
14 examination conducted by the executive council under Section  
15 [505.3545](#); and

16                   (iii) at the time of the application, is in  
17 good standing with the regulatory agency of the state in which the  
18 applicant is licensed; and

19           (B) the applicant presents to the executive  
20 council credentials that the applicant obtained from a national  
21 accreditation organization and the executive council determines  
22 that the requirements to obtain the credentials are sufficient to  
23 minimize any risk to public safety.

24           (c) An applicant satisfies the requirements of Subsection  
25 (a)(3)(A)(i) if the applicant:

26                   (1) is licensed in good standing in another state to  
27 independently practice as a social worker; and

1           (2) has independently practiced as a licensed social  
2 worker in that state for at least the two years preceding the date  
3 the application is submitted.

4           SECTION 7. The changes in law made by this Act apply only to  
5 an application for a license submitted on or after the effective  
6 date of this Act. An application for a license submitted before the  
7 effective date of this Act is governed by the law in effect on the  
8 date the application was submitted, and that law is continued in  
9 effect for that purpose.

10          SECTION 8. This Act takes effect September 1, 2021.