

By: Romero, Jr.

H.B. No. 4075

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of certain occupations by the Texas Behavioral Health Executive Council; authorizing fees.

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

SECTION 1. Sections 502.252(b) and (c), Occupations Code, are amended to read as follows:

(b) To qualify for a license as a licensed marriage and family therapist associate, a person must:

(1) be at least 18 years of age;

(2) have completed a graduate internship in marriage and family therapy, or an equivalent internship, as approved by the board ~~[executive council]~~;

(3) pay the examination fee and pass the license examination and jurisprudence examination determined by the board;

(4) hold a master's or doctoral degree in marriage and family therapy or in a related mental health field with coursework and training determined by the executive council to be substantially equivalent to a graduate degree in marriage and family therapy from a regionally accredited institution of higher education or an institution of higher education approved by the executive council;

(5) ~~[have not been convicted of a felony or a crime involving moral turpitude,~~

~~(6)]~~ not use drugs or alcohol to an extent that affects

1 the applicant's professional competency;

2 (6) [~~(7)~~] not have had a license or certification
3 revoked by a licensing agency or by a certifying professional
4 organization; and

5 (7) [~~(8)~~] not have engaged in fraud or deceit in
6 applying for a license under this chapter.

7 (c) An applicant is eligible to apply for a license as a
8 licensed marriage and family therapist if the person:

9 (1) meets the requirements of Subsection (b);

10 (2) [~~after receipt of a degree described by Subsection~~
11 ~~(b)(4),~~] has completed [~~two years of~~] work experience in marriage
12 and family therapist services that includes the number of hours [~~at~~
13 ~~least 3,000 hours of clinical practice consisting of at least 1,500~~
14 ~~hours of direct clinical services, including a minimum number of~~
15 ~~hours~~] providing [~~direct~~] clinical services to individuals,
16 couples, or families as required by the executive council [~~rule~~];
17 and

18 (3) has completed, in a manner acceptable to the
19 executive council, [~~at least 200 hours of~~] supervised provision of
20 direct clinical services by the applicant for the number of hours as
21 determined by the executive council, [~~100 hours of~~] which must be
22 supervised by an approved supervisor as prescribed by the executive
23 council [~~on an individual basis~~].

24 SECTION 2. Section 502.2545, Occupations Code, is amended
25 to read as follows:

26 Sec. 502.2545. WAIVER OF EXAMINATION FOR CERTAIN
27 APPLICANTS. (a) The executive council may waive the requirement

1 that an applicant for a license as a licensed marriage and family
2 therapist pass the examination required by Section 502.254 if the
3 applicant [+

4 ~~[(1) is a provisional license holder under Section~~
5 ~~502.259 and the executive council determines that the applicant~~
6 ~~possesses sufficient education and professional experience to~~
7 ~~receive a license without further examination; or~~

8 [(2)] holds a license issued by another licensing
9 agency in a profession related to the practice of marriage and
10 family therapy and the executive council determines that the
11 applicant possesses sufficient education and professional
12 experience to receive a license without satisfying the examination
13 requirements of this chapter.

14 (b) The executive council may adopt rules necessary to
15 administer this section, including rules ~~[under Subsection (a)(2)]~~
16 prescribing the professions that are related to the practice of
17 marriage and family therapy.

18 SECTION 3. The heading to Section 502.259, Occupations
19 Code, is amended to read as follows:

20 Sec. 502.259. APPLICANTS LICENSED OUT OF STATE ~~[PROVISIONAL~~
21 ~~LICENSE]~~.

22 SECTION 4. Sections 502.259(a) and (b), Occupations Code,
23 are amended to read as follows:

24 (a) The executive council may grant a ~~[provisional]~~ license
25 to practice as a marriage and family therapist in this state
26 ~~[without examination]~~ to an applicant who is licensed or otherwise
27 registered as a marriage and family therapist by another state or

1 jurisdiction [~~if the requirements to be licensed or registered in~~
2 ~~the other state or jurisdiction were, on the date the person was~~
3 ~~licensed or registered, substantially equal to the requirements of~~
4 ~~this chapter~~].

5 (b) An applicant for a [~~provisional~~] license under this
6 section must:

7 (1) be licensed in good standing to independently
8 practice as a marriage and family therapist in another state or
9 jurisdiction [~~that has licensing requirements that are~~
10 ~~substantially equal to the requirements of this chapter~~];

11 (2) meet the requirements of Section 502.252(b) [~~have~~
12 ~~passed a national or other examination that~~].

13 [~~(A) is recognized by the executive council; and~~
14 [~~(B) relates to marriage and family therapy~~]; and

15 (3) file an application with the appropriate fee in
16 the form and manner prescribed [~~be sponsored by a person licensed~~
17 ~~by the executive council [with whom the provisional license holder~~
18 ~~may practice under this section]~~].

19 SECTION 5. Section 502.301(a), Occupations Code, is amended
20 to read as follows:

21 (a) A marriage and family therapist license issued under
22 this chapter is subject to [~~biennial~~] renewal. The executive
23 council shall adopt a system under which licenses expire on various
24 dates during the year.

25 SECTION 6. Subchapter F, Chapter 507, Occupations Code, is
26 amended by adding Section 507.260 to read as follows:

27 Sec. 507.260. RECIPROCAL LICENSE. The executive council

1 may enter into and implement agreements with other jurisdictions
2 for the issuance of a license under Chapter 501, 502, 503, or 505 by
3 reciprocity if the other jurisdiction's requirements for
4 licensing, certification, or registration are substantially equal
5 to the requirements of the applicable chapter.

6 SECTION 7. The following provisions are repealed:

- 7 (1) Section 501.262, Occupations Code;
8 (2) Section 502.254(b), Occupations Code; and
9 (3) Sections 502.259(c), (d), and (e), Occupations

10 Code.

11 SECTION 8. (a) Chapter 502, Occupations Code, as amended by
12 this Act, applies only to an application for a license under that
13 chapter filed with the Texas Behavioral Health Executive Council on
14 or after the effective date of this Act. An application for a
15 license filed before the effective date of this Act is governed by
16 the law in effect on the date the application was filed, and the
17 former law is continued in effect for that purpose.

18 (b) Section 502.301(a), Occupations Code, as amended by
19 this Act, applies to a license that expires on or after the
20 effective date of this Act. A license that expires before that date
21 is governed by the law in effect on the date the license expired,
22 and the former law is continued in effect for that purpose.

23 SECTION 9. This Act takes effect September 1, 2023.