

1-1 By: Truitt, Solomons, Hamric H.B. No. 1015
1-2 (Senate Sponsor - Jackson)
1-3 (In the Senate - Received from the House April 20, 2005;
1-4 April 21, 2005, read first time and referred to Committee on
1-5 Government Organization; May 4, 2005, reported favorably by the
1-6 following vote: Yeas 7, Nays 0; May 4, 2005, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the continuation and functions of the Texas State Board
1-10 of Examiners of Psychologists.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 501.005, Occupations Code, is amended to
1-13 read as follows:

1-14 Sec. 501.005. APPLICATION OF SUNSET ACT. The Texas State
1-15 Board of Examiners of Psychologists is subject to Chapter 325,
1-16 Government Code (Texas Sunset Act). Unless continued in existence
1-17 as provided by that chapter, the board is abolished and this chapter
1-18 expires September 1, 2017 [~~2005~~].

1-19 SECTION 2. Section 501.052, Occupations Code, is amended to
1-20 read as follows:

1-21 Sec. 501.052. ELIGIBILITY OF PUBLIC MEMBERS. A person is
1-22 not eligible for appointment as a public member of the board if:

1-23 (1) ~~the person [or the person's spouse]~~
1-24 [~~(1)~~] is registered, certified, or licensed by an
1-25 occupational regulatory agency in the field of health services;

1-26 (2) the person's spouse is registered, certified, or
1-27 licensed by an occupational regulatory agency in the field of
1-28 mental health; or

1-29 (3) the person or the person's spouse:

1-30 (A) is employed by or participates in the
1-31 management of a business entity or other organization regulated by
1-32 the board or receiving funds from the board;

1-33 (B) [~~(3)~~] owns or controls, directly or
1-34 indirectly, more than a 10 percent interest in a business entity or
1-35 other organization regulated by the board or receiving funds from
1-36 the board; or

1-37 (C) [~~(4)~~] uses or receives a substantial amount
1-38 of tangible goods, services, or funds from the board, other than
1-39 compensation or reimbursement authorized by law for board
1-40 membership, attendance, or expenses.

1-41 SECTION 3. Section 501.053, Occupations Code, is amended to
1-42 read as follows:

1-43 Sec. 501.053. MEMBERSHIP AND EMPLOYEE RESTRICTIONS.

1-44 (a) In this section, "Texas trade association" means a
1-45 [~~nonprofit,~~] cooperative[~~7~~] and voluntarily joined statewide
1-46 association of business or professional competitors in this state
1-47 designed to assist its members and its industry or profession in
1-48 dealing with mutual business or professional problems and in
1-49 promoting their common interest.

1-50 (b) A person [An officer, employee, or paid consultant of a
1-51 Texas trade association in the field of health services] may not be
1-52 a member [or employee] of the board and may not be a board employee
1-53 employed in a "bona fide executive, administrative, or professional
1-54 capacity," as that phrase is used for purposes of establishing an
1-55 exemption to the overtime provisions of the federal Fair Labor
1-56 Standards Act of 1938 (29 U.S.C. Section 201 et seq.) if:

1-57 (1) the person is an officer, employee, or paid
1-58 consultant of a Texas trade association in the field of health
1-59 services; or

1-60 (2) the person's spouse is an officer, manager, or paid
1-61 consultant of a Texas trade association in the field of mental
1-62 health [who is exempt from the state's position classification plan
1-63 or is compensated at or above the amount prescribed by the General
1-64 Appropriations Act for step 1, salary group A17, of the position

2-1 ~~classification salary schedule].~~

2-2 (c) ~~[A person who is the spouse of an officer, manager, or~~
 2-3 ~~paid consultant of a Texas trade association in the field of health~~
 2-4 ~~services may not be a board member and may not be an employee of the~~
 2-5 ~~board who is exempt from the state's position classification plan~~
 2-6 ~~or is compensated at or above the amount prescribed by the General~~
 2-7 ~~Appropriations Act for step 1, salary group A17, of the position~~
 2-8 ~~classification salary schedule.~~

2-9 ~~[(d)]~~ A person may not be serve as a member of the board or
 2-10 act as the general counsel to the board if the person is required to
 2-11 register as a lobbyist under Chapter 305, Government Code, because
 2-12 of the person's activities for compensation on behalf of a
 2-13 profession related to the operation of the board.

2-14 SECTION 4. Sections 501.055(a) and (c), Occupations Code,
 2-15 are amended to read as follows:

2-16 (a) It is a ground for removal from the board that a member:

2-17 (1) does not have at the time of taking office
 2-18 ~~[appointment]~~ the qualifications required by Sections 501.051 and
 2-19 501.052;

2-20 (2) does not maintain during ~~[the member's]~~ service on
 2-21 the board the qualifications required by Sections 501.051 and
 2-22 501.052;

2-23 (3) is ineligible for membership under ~~[violates a~~
 2-24 ~~prohibition established by]~~ Section 501.053;

2-25 (4) cannot, because of illness or disability,
 2-26 discharge the member's duties for a substantial part of the member's
 2-27 term; or

2-28 (5) is absent from more than half of the regularly
 2-29 scheduled board meetings that the member is eligible to attend
 2-30 during a calendar year without an excuse approved ~~[, unless the~~
 2-31 ~~absence is excused]~~ by a majority vote of the board.

2-32 (c) If the executive director has knowledge that a potential
 2-33 ground for removal exists ~~[may exist]~~, the executive director shall
 2-34 notify the presiding officer of the board of the potential ground.
 2-35 The presiding officer ~~[On a determination that a potential ground~~
 2-36 ~~for removal exists, the board]~~ shall then notify the governor and
 2-37 the attorney general that a potential ground for removal exists. If
 2-38 the potential ground for removal involves the presiding officer,
 2-39 the executive director shall notify the next highest ranking
 2-40 officer of the board, who shall then notify the governor and the
 2-41 attorney general that a potential ground for removal exists.

2-42 SECTION 5. Section 501.057(a), Occupations Code, is amended
 2-43 to read as follows:

2-44 (a) The governor shall designate a member of the board as
 2-45 the presiding officer of the board to serve in that capacity at the
 2-46 pleasure of the governor. The board shall hold an annual meeting
 2-47 during which the board shall select from its members ~~[a presiding~~
 2-48 ~~officer and]~~ an assistant presiding officer.

2-49 SECTION 6. Section 501.059, Occupations Code, is amended to
 2-50 read as follows:

2-51 Sec. 501.059. TRAINING PROGRAM FOR MEMBERS. (a) A person
 2-52 who is appointed to and qualifies for office as ~~[Before]~~ a ~~[board]~~
 2-53 member of the board may not vote, deliberate, or be counted as a
 2-54 member in attendance at a meeting of ~~[assume the member's duties or~~
 2-55 ~~be confirmed by the senate, the member must complete at least one~~
 2-56 ~~course of the training program established by]~~ the board until the
 2-57 person completes a training program that complies with ~~[under]~~ this
 2-58 section.

2-59 (b) The training program must provide the person with
 2-60 information ~~[to a participant]~~ regarding:

2-61 (1) this chapter and the programs, functions, rules,
 2-62 and budget of the board;

2-63 (2) ~~[the programs operated by the board,~~

2-64 ~~[(3) the role and functions of the board,~~

2-65 ~~[(4) the rules of the board, with an emphasis on the~~
 2-66 ~~rules that relate to disciplinary and investigatory authority,~~

2-67 ~~[(5) the current budget for the board,~~

2-68 ~~[(6)] the results of the most recent formal audit of~~
 2-69 the board;

3-1 (3) [~~(7)~~] the requirements of laws relating to open
 3-2 meetings, public information, administrative procedure, and
 3-3 conflicts of interest [Chapters 551, 552, and 2001, Government
 3-4 Code,

3-5 [~~(8)~~ the requirements of the conflict of interest laws
 3-6 and other laws relating to public officials]; and

3-7 (4) [~~(9)~~] any applicable ethics policies adopted by
 3-8 the board or the Texas Ethics Commission.

3-9 (c) A person appointed to the board is entitled to
 3-10 reimbursement, as provided by the General Appropriations Act, for
 3-11 the travel expenses incurred in attending the training program
 3-12 regardless of whether the attendance at the program occurs before
 3-13 or after the person qualifies for office. [~~In developing the~~
 3-14 program, the board shall consult with the governor, attorney
 3-15 general, and Texas Ethics Commission.

3-16 [~~(d) If another state agency or entity is authorized to~~
 3-17 establish the training requirements for board members, the board
 3-18 shall adopt that training instead of developing its own program.]

3-19 SECTION 7. Section 501.103, Occupations Code, is amended to
 3-20 read as follows:

3-21 Sec. 501.103. DIVISION OF RESPONSIBILITIES. The board
 3-22 shall develop and implement policies that clearly separate [~~define~~]
 3-23 the policymaking [~~respective~~] responsibilities of the board and the
 3-24 management responsibilities of the executive director and the staff
 3-25 of the board.

3-26 SECTION 8. Subchapter D, Chapter 501, Occupations Code, is
 3-27 amended by adding Section 501.160 to read as follows:

3-28 Sec. 501.160. USE OF TECHNOLOGY. The board shall implement
 3-29 a policy requiring the use of appropriate technological solutions
 3-30 to improve the board's ability to perform its functions. The policy
 3-31 must ensure that the public is able to interact with the board on
 3-32 the Internet.

3-33 SECTION 9. Subchapter D, Chapter 501, Occupations Code, is
 3-34 amended by adding Section 501.161 to read as follows:

3-35 Sec. 501.161. NEGOTIATED RULEMAKING AND ALTERNATIVE
 3-36 DISPUTE RESOLUTION. (a) The board shall develop and implement a
 3-37 policy to encourage the use of:

3-38 (1) negotiated rulemaking procedures under Chapter
 3-39 2008, Government Code, for the adoption of board rules; and

3-40 (2) appropriate alternative dispute resolution
 3-41 procedures under Chapter 2009, Government Code, to assist in the
 3-42 resolution of internal and external disputes under the board's
 3-43 jurisdiction.

3-44 (b) The board's procedures relating to alternative dispute
 3-45 resolution must conform, to the extent possible, to any model
 3-46 guidelines issued by the State Office of Administrative Hearings
 3-47 for the use of alternative dispute resolution by state agencies.

3-48 (c) The board shall designate a trained person to:

3-49 (1) coordinate the implementation of the policy
 3-50 adopted under Subsection (a);

3-51 (2) serve as a resource for any training needed to
 3-52 implement the procedures for negotiated rulemaking or alternative
 3-53 dispute resolution; and

3-54 (3) collect data concerning the effectiveness of those
 3-55 procedures, as implemented by the board.

3-56 SECTION 10. Subchapter D, Chapter 501, Occupations Code, is
 3-57 amended by adding Section 501.162 to read as follows:

3-58 Sec. 501.162. DEVELOPMENT OF PROPOSED RULES. (a) This
 3-59 section applies to the process by which the board develops proposed
 3-60 rules before the proposed rules are published in the Texas Register
 3-61 and before the board complies with the rulemaking requirements of
 3-62 the administrative procedure law, Chapter 2001, Government Code.
 3-63 This section does not affect the duty of the board to comply with
 3-64 the rulemaking requirements of that law.

3-65 (b) The board shall establish methods under which the board,
 3-66 to the extent appropriate, will seek input early in the rule
 3-67 development process from the public and from persons who will be
 3-68 most affected by a proposed rule. Methods shall include
 3-69 identifying persons who will be most affected and soliciting, at a

4-1 minimum, the advice and opinions of those persons.

4-2 (c) Methods may include negotiated rulemaking, informal
 4-3 conferences, advisory committees, and any other appropriate
 4-4 method.

4-5 (d) A rule adopted by the board may not be challenged on the
 4-6 grounds that the board did not comply with this section. If the
 4-7 board was unable to solicit a significant amount of advice and
 4-8 opinion from the public or from affected persons early in the rule
 4-9 development process, the board shall state in writing the reasons
 4-10 why the board was unable to do so.

4-11 SECTION 11. Section 501.201(a), Occupations Code, is
 4-12 amended to read as follows:

4-13 (a) The board shall prepare information of public interest
 4-14 describing the functions of the board [~~and the procedures by which~~
 4-15 ~~complaints are filed with and resolved by the board].~~

4-16 SECTION 12. Section 501.203, Occupations Code, is amended
 4-17 to read as follows:

4-18 Sec. 501.203. INFORMATION ABOUT COMPLAINT ACTIONS [~~RECORDS~~
 4-19 ~~OF COMPLAINTS].~~ (a) The board shall maintain a system to promptly
 4-20 and efficiently act on complaints filed with the board. The board
 4-21 shall maintain information about parties to a complaint, the
 4-22 subject matter of the complaint, a summary of the results of the
 4-23 review or investigation of the complaint, and the disposition of
 4-24 the complaint [~~keep an information file about each complaint~~
 4-25 ~~relating to a license holder filed with the board. The information~~
 4-26 ~~file must be kept current and contain a record for each complaint~~
 4-27 ~~of:~~

4-28 ~~[(1) each person contacted regarding the complaint;~~
 4-29 ~~[(2) a summary of findings made at each step of the~~
 4-30 ~~complaint process;~~

4-31 ~~[(3) an explanation of the legal basis and reason for~~
 4-32 ~~dismissing a complaint;~~

4-33 ~~[(4) the schedule established for the complaint under~~
 4-34 ~~Section 501.204 and a notation of any change in the schedule; and~~

4-35 ~~[(5) other relevant information].~~

4-36 (b) The board shall make information available describing
 4-37 its procedures for complaint investigation and resolution.

4-38 (c) The board shall periodically notify the complaint
 4-39 parties of the status of the complaint [~~If a written complaint is~~
 4-40 ~~filed with the board that the board has authority to resolve, the~~
 4-41 ~~board, at least quarterly and] until final disposition [~~of the~~~~
 4-42 ~~complaint, shall notify the parties to the complaint of the status~~
 4-43 ~~of the complaint unless the notice would jeopardize an undercover~~
 4-44 ~~investigation].~~

4-45 (d) The board shall analyze complaints filed with the board
 4-46 to identify any trends or issues related to certain violations,
 4-47 including:

4-48 (1) the reason for each complaint;

4-49 (2) how each complaint was resolved; and

4-50 (3) the subject matter of each complaint that was not
 4-51 within the jurisdiction of the board and how the board responded to
 4-52 the complaint.

4-53 SECTION 13. Section 501.204, Occupations Code, is amended
 4-54 by adding Subsection (e) to read as follows:

4-55 (e) The board shall assign priorities and investigate
 4-56 complaints based on:

4-57 (1) the severity of the conduct alleged in the
 4-58 complaint; and

4-59 (2) the degree of harm to public health and safety.

4-60 SECTION 14. Section 501.253, Occupations Code, is amended
 4-61 by amending Subsection (b) and adding Subsections (e) and (f) to
 4-62 read as follows:

4-63 (b) A provisional license holder is entitled to practice
 4-64 psychology under the supervision of a psychologist to meet the
 4-65 requirements for issuance of a license under Section 501.252. A
 4-66 provisional license holder who is licensed in another state to
 4-67 independently practice psychology and is in good standing in that
 4-68 state and who seeks a license in this state is entitled to practice
 4-69 psychology without the supervision of a psychologist during the

5-1 time that the board is processing the person's application for a
 5-2 license.

5-3 (e) The board may not restrict the issuance of a license or
 5-4 provisional license to an applicant who is licensed in another
 5-5 state to independently practice psychology and is in good standing
 5-6 in that state based on the number of years the applicant has been
 5-7 licensed in good standing in that state.

5-8 (f) If an applicant who is licensed in another state to
 5-9 independently practice psychology and is in good standing in that
 5-10 state presents credentials from a national accreditation
 5-11 organization to the board and the board determines that the
 5-12 requirements for obtaining those credentials from that
 5-13 organization are sufficient to protect the public, the board may
 5-14 issue a provisional license to the applicant. An applicant who
 5-15 obtains a provisional license under this subsection must have
 5-16 passed the examination described by Section 501.256(b)(2).

5-17 SECTION 15. Section 501.256, Occupations Code, is amended
 5-18 by amending Subsection (c) and adding Subsections (f) and (g) to
 5-19 read as follows:

5-20 (c) The board may waive the discipline and professional
 5-21 segment of the examination requirement for an applicant who:

5-22 (1) is a specialist [~~diplomate~~] of the American Board
 5-23 of Professional Psychology; or

5-24 (2) in the board's judgment, has demonstrated
 5-25 competence in the areas covered by the examination.

5-26 (f) On the oral examination administered under this section
 5-27 the board may only assess knowledge of psychological principles and
 5-28 techniques, applicable laws and regulations, and ethical
 5-29 principles. The board may not assess personal characteristics
 5-30 through the oral examination.

5-31 (g) For purposes of the oral examination, the board shall by
 5-32 rule clearly define the standards used by the board to determine
 5-33 whether a person has demonstrated sufficient entry-level knowledge
 5-34 of the practice of psychology to have passed the examination.

5-35 SECTION 16. Subchapter F, Chapter 501, Occupations Code, is
 5-36 amended by adding Section 501.2561 to read as follows:

5-37 Sec. 501.2561. EVALUATION OF ORAL EXAMINATION. (a) The
 5-38 board by rule shall establish a work group to evaluate the oral
 5-39 examination for the purpose of improving the consistency of the
 5-40 administration and the objectivity of the examination. The work
 5-41 group must include persons interested in or affected by the
 5-42 regulation of the practice of psychology under this chapter,
 5-43 including faculty members of college or university psychology
 5-44 departments and licensees with varying levels of experience. The
 5-45 work group shall:

5-46 (1) review audiotapes of passed and failed
 5-47 examinations;

5-48 (2) review analyses of the performance of persons who
 5-49 failed the examination provided under Section 501.256(e);

5-50 (3) assess scoring criteria and clinical scenarios
 5-51 used in the administration of the examination;

5-52 (4) recommend improvements to standardize the
 5-53 administration of the examination; and

5-54 (5) conduct other appropriate tasks.

5-55 (b) Members of the board may not participate in the
 5-56 evaluation of the oral examination but may otherwise participate in
 5-57 the work group.

5-58 (c) The work group shall report biennially to the board the
 5-59 group's recommendations for improving the consistency of the
 5-60 administration and the objectivity of the oral examination. The
 5-61 board shall modify the oral examination, as necessary, based on the
 5-62 work group's recommendations before the next administration of the
 5-63 oral examination.

5-64 SECTION 17. Section 501.259(a), Occupations Code, is
 5-65 amended to read as follows:

5-66 (a) The board [~~with the advice of the Psychological~~
 5-67 ~~Associate Advisory Committee,~~] shall set standards for the issuance
 5-68 of licenses to psychological personnel who hold a master's degree
 5-69 from an accredited university or college in a program that is

6-1 primarily psychological in nature.

6-2 SECTION 18. Sections 501.263(a) and (b), Occupations Code,
6-3 are amended to read as follows:

6-4 (a) The board may issue a temporary license to an applicant
6-5 seeking to practice in this state for a limited time and limited
6-6 purpose [a permanent license, including a person seeking a license
6-7 by reciprocity under Section 501.262,] if the applicant:

6-8 (1) pays the required application fee;

6-9 (2) submits an application to the board in the form
6-10 prescribed by the board;

6-11 (3) is licensed, certified, or registered as a
6-12 psychologist or psychological associate by another state having
6-13 requirements substantially equal to those prescribed by this
6-14 chapter;

6-15 (4) is in good standing with the regulatory agency of
6-16 the jurisdiction in which the person is licensed, certified, or
6-17 registered;

6-18 (5) is supervised by a person licensed by the board
6-19 under this chapter with whom the temporary license holder may
6-20 consult during the time the person holds a temporary license; and

6-21 (6) ~~[(5)]~~ has passed an examination recognized by the
6-22 board as equivalent to the examination required by the board for a
6-23 permanent license under this chapter.

6-24 (b) A temporary license is valid only for the period
6-25 specified by the board and for the limited purpose approved by the
6-26 board ~~[until the earlier of:~~

6-27 ~~[(1) the date the board approves or denies the~~
6-28 ~~temporary license holder's application for a permanent license; or~~

6-29 ~~[(2) the first anniversary of the date the board~~
6-30 ~~issues the temporary license if no action is taken by the board].~~

6-31 SECTION 19. Section 501.304, Occupations Code, is amended
6-32 by adding Subsection (e) to read as follows:

6-33 (e) The process developed under Subsection (c)(1) may
6-34 include a process under which the board evaluates and approves
6-35 appropriate courses for the continuing education program that are
6-36 developed or approved for license holders by national and state
6-37 associations that represent license holders, by other mental health
6-38 professional associations, and by institutions of higher
6-39 education.

6-40 SECTION 20. Section 501.404, Occupations Code, is amended
6-41 to read as follows:

6-42 Sec. 501.404. SCHEDULE OF SANCTIONS. (a) The board by
6-43 rule shall adopt a ~~[broad]~~ schedule of the disciplinary sanctions
6-44 that the board may impose under this chapter. In adopting the
6-45 schedule of sanctions, the board shall ensure that the severity of
6-46 the sanction imposed is appropriate to the type of violation or
6-47 conduct that is the basis for disciplinary action ~~[for violations~~
6-48 ~~under this chapter].~~

6-49 (b) In determining the appropriate disciplinary action,
6-50 including the amount of any administrative penalty to assess, the
6-51 board shall consider whether the person:

6-52 (1) is being disciplined for multiple violations of
6-53 either this chapter or a rule or order adopted under this chapter;
6-54 or

6-55 (2) has previously been the subject of disciplinary
6-56 action by the board.

6-57 (c) In the case of a person described by:

6-58 (1) Subsection (b)(1), the board shall consider taking
6-59 a more severe disciplinary action, including revocation of the
6-60 person's license, than the disciplinary action that would be taken
6-61 for a single violation; and

6-62 (2) Subsection (b)(2), the board shall consider taking
6-63 a more severe disciplinary action, including revocation of the
6-64 person's license, than the disciplinary action that would be taken
6-65 for a person who has not previously been the subject of disciplinary
6-66 action by the board.

6-67 (d) The State Office of Administrative Hearings shall use
6-68 the schedule for any sanction imposed as the result of a hearing
6-69 conducted by that office.

7-1 SECTION 21. Section 501.410(b), Occupations Code, is
7-2 amended to read as follows:

7-3 (b) Rules adopted under Subsection (a) must:

7-4 (1) provide the complainant and the license holder an
7-5 opportunity to be heard; ~~and~~

7-6 (2) require the presence of a member of the board's
7-7 legal staff, if the board has a legal staff, or, if the board does
7-8 not have a legal staff, a representative of the attorney general's
7-9 office to advise the board or board employees; and

7-10 (3) require the presence of at least one public member
7-11 of the board.

7-12 SECTION 22. Subchapter K, Chapter 501, Occupations Code, is
7-13 amended by adding Section 501.505 to read as follows:

7-14 Sec. 501.505. OPTION TO ORDER REFUND. (a) Under an
7-15 agreement resulting from an informal settlement conference, the
7-16 board may order a license holder to refund to the person who paid
7-17 for the psychological services at issue an amount not to exceed the
7-18 amount the person paid to the license holder for a service regulated
7-19 by this chapter instead of or in addition to imposing an
7-20 administrative penalty under this chapter.

7-21 (b) The board may not include an estimation of other damages
7-22 or harm in a refund order.

7-23 SECTION 23. Article 60.061(a), Code of Criminal Procedure,
7-24 is amended to read as follows:

7-25 (a) The Texas State Board of Medical Examiners, the Texas
7-26 State Board of Podiatric Medical Examiners, the State Board of
7-27 Dental Examiners, the Texas State Board of Pharmacy, the Texas
7-28 State Board of Examiners of Psychologists, and the State Board of
7-29 Veterinary Medical Examiners shall provide to the Department of
7-30 Public Safety through electronic means, magnetic tape, or disk, as
7-31 specified by the department, a list including the name, date of
7-32 birth, and any other personal descriptive information required by
7-33 the department for each person licensed by the respective agency.
7-34 Each agency shall update this information and submit to the
7-35 Department of Public Safety the updated information quarterly.

7-36 SECTION 24. Subchapter H, Chapter 501, Occupations Code, is
7-37 repealed.

7-38 SECTION 25. The Psychological Associate Advisory Committee
7-39 is abolished.

7-40 SECTION 26. The changes in law made by this Act to Section
7-41 501.053, Occupations Code, do not affect the entitlement of a
7-42 member serving on the Texas State Board of Examiners of
7-43 Psychologists immediately before September 1, 2005, to continue to
7-44 serve and function as a member of the Texas State Board of Examiners
7-45 of Psychologists for the remainder of the term the member is serving
7-46 on that date. Those changes in law apply only to a member appointed
7-47 on or after September 1, 2005.

7-48 SECTION 27. The work group established under Section
7-49 501.2561, Occupations Code, as added by this Act, shall submit the
7-50 group's first report to the Texas State Board of Examiners of
7-51 Psychologists in time for the board to make necessary modifications
7-52 to the oral examination that will be administered in January 2007.

7-53 SECTION 28. This Act takes effect September 1, 2005.

7-54 * * * * *