

BILL ANALYSIS

C.S.H.B. 461
By: Eissler
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under Texas Education Agency rule, schools are required to provide instruction to students identified as having dyslexia or related disorders, establishing a need for instructors in this field. However, instruction for such individuals often is offered outside of the school system in therapy settings by privately employed instructors.

Currently, instructors in Texas working with students identified as having dyslexia or related disorders do not have to meet state-recognized standards. There are no state guidelines detailing the amount of training or expertise required for individuals working in this field. Establishing state-recognized standards for these instructors will provide quality control in the preparation of professionals who instruct individuals with dyslexia or related disorders.

C.S.H.B. 461 creates the Dyslexia Practitioners and Therapists Title Recognition Act specifying that the requirements to achieve membership in the Academic Language Therapy Association as an associate academic language teacher and a certified academic language therapist are the state dyslexia practitioner title recognition standards and state dyslexia therapist title recognition standards, respectively.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 461 amends the Occupations Code to enact the Dyslexia Practitioners and Therapists Title Recognition Act. The bill specifies that requirements in effect on September 1, 2009, to achieve membership in the Academic Language Therapy Association as an associate academic language teacher are adopted as the state dyslexia practitioner title recognition standards. The bill specifies that requirements in effect on September 1, 2009, to achieve membership in the Academic Language Therapy Association as a certified academic language therapist are adopted as the state dyslexia therapist title recognition standards.

C.S.H.B. 461 authorizes the executive commissioner of the Health and Human Services Commission to adopt an updated version of the Academic Language Therapy Association's membership requirements as the state's dyslexia practitioner or dyslexia therapist title recognition standards if the executive commissioner determines that adoption of the updated requirements is consistent with the purpose of providing public assurance that persons who use such recognized titles are trained and experienced providers of quality professional services for individuals with dyslexia or related disorders.

C.S.H.B. 461 sets out certification requirements for a registered dyslexia practitioner, associate academic language teacher, registered dyslexia therapist, and certified academic language therapist. The bill makes it a misdemeanor offense punishable by a fine not to exceed \$1,000 for a person to violate certification requirements.

C.S.H.B. 461 adds a temporary provision, set to expire September 1, 2011, creating an interim committee to study and recommend legislation to increase awareness of early detection and treatment of dyslexia and related disorders. The bill requires the committee to examine early detection and intervention, access to treatment in rural areas of the state, the role of public education and higher education in detection and treatment, treatment for older students and adults, and any barriers related to accommodations for individuals with dyslexia and related disorders. The bill provides for the composition of the committee and sets out procedures for the committee's operation and compensation and reimbursement for committee members.

C.S.H.B. 461 requires the committee, not later than December 1, 2010, to report its findings and recommendations to the lieutenant governor, the speaker of the house of representatives, and the governor. The bill requires the governor and presiding officers of the legislature, not later than the 60th day after the effective date of the bill, to appoint the members of the interim committee.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 461 creates the Dyslexia Practitioners and Therapists Title Recognition Act specifying that the requirements to achieve membership in the Academic Language Therapy Association as an associate academic language teacher and a certified academic language therapist serve as state title recognition standards for a dyslexia practitioner and dyslexia therapist, respectively, whereas the original creates a dyslexia practitioners license and a dyslexia therapist license and sets forth specific educational and training qualifications to be eligible to apply for those licenses.