

By: Madden

H.B. No. 3225

A BILL TO BE ENTITLED

AN ACT

relating to the license requirements for a chemical dependency counselor.

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

SECTION 1. Section 504.152, Occupations Code, is amended to read as follows:

Sec. 504.152. ELIGIBILITY REQUIREMENTS. (a) To be eligible for a license under this chapter, a person must:

(1) be at least 18 years of age;

(2) hold an associate degree or a more advanced degree;

(3) have completed:

(A) 135 hours, or nine semester hours, specific to substance abuse disorders and treatment and an additional 135 hours, or nine semester hours, specific or related to chemical dependency counseling;

(B) 4,000 hours of approved supervised experience working with chemically dependent persons; and

(C) 300 hours of approved supervised field work practicum;

(4) provide two letters of reference from chemical dependency counselors;

(5) pass a written examination approved by the department;

1 (6) submit a case presentation to the test
2 administrator;

3 (7) [~~pass an oral examination approved by the~~
4 ~~department,~~

5 [~~(8)~~] be determined by the department to be worthy of
6 the public trust and confidence;

7 (8) [~~(9)~~] successfully complete the chemical
8 dependency counselor examination under Section 504.156;

9 (9) [~~(10)~~] sign a written agreement to comply with the
10 standards of ethics approved by the department; and

11 (10) [~~(11)~~] provide to the department a certificate
12 verifying [~~written assurance~~] that the applicant is enrolled in or
13 a member of [~~has access to~~] a peer assistance program.

14 (b) The department may waive the requirement under
15 Subsection (a)(10) [~~(a)(11)~~] if the department determines that a
16 peer assistance program is not reasonably available to the license
17 holder.

18 SECTION 2. Sections 504.1525(a) and (b), Occupations Code,
19 are amended to read as follows:

20 (a) Except as provided by Subsection (b), the department may
21 not issue a license, registration, or certification under this
22 chapter to an applicant who has been:

23 (1) convicted or placed on community supervision
24 during the three [~~five~~] years preceding the date of application in
25 any jurisdiction for an offense equal to a Class B misdemeanor
26 specified by executive commissioner rule;

27 (2) convicted or placed on community supervision in

1 any jurisdiction for an offense equal to or greater than a Class A
2 misdemeanor specified by executive commissioner rule; or

3 (3) found to be incapacitated by a court on the basis
4 of a mental defect or disease.

5 (b) The department may issue a license, registration, or
6 certification under this chapter to a person convicted or placed on
7 community supervision in any jurisdiction for a drug or alcohol
8 offense described by Subsection (a)(1) or (2) if the department
9 determines that the applicant has successfully completed
10 participation in an approved peer assistance program.

11 SECTION 3. Except as provided by Section 4 of this Act, the
12 changes in law made by this Act to Sections 504.152 and 504.1525,
13 Occupations Code, apply only to an application for a license,
14 registration, or certification filed on or after the effective date
15 of this Act. An application for a license, registration, or
16 certification filed before the effective date of this Act is
17 governed by the law as it existed immediately before the effective
18 date of this Act, and that law is continued in effect for that
19 purpose.

20 SECTION 4. An applicant for a license under Chapter 504,
21 Occupations Code, who, on or after June 1, 2008, passes a written
22 examination approved by the Department of State Health Services is
23 not required to pass the oral examination formerly required by
24 Section 504.152(a)(7), Occupations Code, before the amendment of
25 that provision by this Act, to be eligible for the license.

26 SECTION 5. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2009.