

By: Perry

H.B. No. 2591

A BILL TO BE ENTITLED

1 AN ACT
2 relating to exemptions to the licensing and regulation of chemical
3 dependency counselors.

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

5 SECTION 1. Section 504.002(b), Occupations Code, is amended
6 to read as follows:

7 (b) This chapter does not apply to an activity or service of
8 a person who:

9 (1) is employed as a counselor by a federal
10 institution and is providing chemical dependency counseling within
11 the scope of the person's employment;

12 (2) except as provided by Section 504.1515, is a
13 student, intern, or trainee pursuing a supervised course of study
14 in counseling at a regionally accredited institution of higher
15 education or training institution, if the person:

16 (A) is designated as a "counselor intern"; and

17 (B) is engaging in the activity or providing the
18 service as part of the course of study;

19 (3) is not a resident of this state, if the person:

20 (A) engages in the activity or provides the
21 service in this state for not more than 30 days during any year; and

22 (B) is authorized to engage in the activity or
23 provide the service under the law of the state of the person's
24 residence;

1 (4) is a licensed physician, psychologist,
2 professional counselor, or social worker;

3 (5) is a religious leader of a congregation providing
4 pastoral chemical dependency counseling within the scope of the
5 person's duties;

6 (6) is working for or providing counseling with a
7 program exempt under Subchapter C, Chapter 464, Health and Safety
8 Code; ~~or~~

9 (7) is a school counselor certified by the State Board
10 for Educator Certification; or

11 (8) is credentialed as a Certified Criminal Justice
12 Addictions Professional by the International Certification and
13 Reciprocity Consortium and who provides chemical dependency
14 counseling through a program or in a facility that receives funding
15 from the Texas Department of Criminal Justice.

16 SECTION 2. This Act takes effect September 1, 2011.