

BILL ANALYSIS

H.B. 808
By: Zerwas
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, a licensed psychologist may employ and supervise certain provisionally licensed psychologists, newly licensed psychologists who are not eligible for managed care panels, and other persons training to become a psychologist. However, some insurance companies' managed care panels will not reimburse a licensed psychologist for work performed by these employees.

H.B. 808 seeks to open additional opportunities for provisionally licensed psychologists to obtain required supervised practice hours, help newly licensed psychologists meet requirements for reimbursement of services, and provide for reimbursement from managed care panels for work performed under the supervision of a licensed psychologist.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 808 amends the Occupations Code to authorize a licensed psychologist to delegate to a provisionally licensed psychologist, a newly licensed psychologist who is not eligible for managed care panels, a person who holds a temporary license to practice psychology, and a person who is qualified to take an examination for a provisional license and is in the process of acquiring the supervised experience required for licensing as a psychologist any psychological test or service that a reasonable and prudent psychologist could delegate within the scope of sound psychological judgment if the psychologist determines that the test or service can be properly and safely performed by the person, that the person does not represent to the public that the person is authorized to practice psychology, and that the test or service will be performed in the customary manner and in compliance with any other law. The bill establishes that the delegating psychologist remains responsible for the delegated psychological test or service and that the test or service is considered to be delivered by the delegating psychologist for billing purposes, including bills submitted to third-party payors. The bill requires the person to inform each patient on whom the test or service is performed that the person is being supervised by a licensed psychologist.

H.B. 808 authorizes the Texas State Board of Examiners of Psychologists to determine whether a psychological test or service may be properly and safely delegated under the bill's provisions and whether a delegated act constitutes the practice of psychology. The bill authorizes a person who is a licensed psychologist and to whom another psychologist delegates a psychological test or service to represent that the person is engaged in the practice of psychology. The bill establishes that a person to whom a psychologist delegates a psychological test or service is not considered to be engaged in the independent practice of psychology without a license unless the person acts with the knowledge that the delegation and the action taken under the delegation violate statutory provisions regulating the practice of psychology and counseling.

EFFECTIVE DATE

September 1, 2013.