

By: Zerwas

H.B. No. 807

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the practice of psychology by persons employed by a  
3 governmental agency.

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

5 SECTION 1. Section 501.004(a), Occupations Code, is amended  
6 to read as follows:

7 (a) This chapter does not apply to:

8 (1) the activity or service of a person, or the use of  
9 an official title by the person, who is employed as a psychologist  
10 or psychological associate by a [~~governmental agency or~~] regionally  
11 accredited institution of higher education if the person performs  
12 duties the person is employed by the [~~agency or~~] institution to  
13 perform within the confines of the [~~agency or~~] institution;

14 (2) the activity or service of a student, intern, or  
15 resident in psychology if:

16 (A) the person is pursuing a course of study to  
17 prepare for the profession of psychology under qualified  
18 supervision in a recognized training institution or facility;

19 (B) the activity or service is part of the  
20 person's supervised course of study; and

21 (C) the person is designated as a "psychological  
22 intern," as a "psychological trainee," or by another title that  
23 clearly indicates the person's training status;

24 (3) the activity or service of a licensed

1 professional, other than a person licensed under this chapter, if:

2 (A) the activity or service is permitted under  
3 the person's license; and

4 (B) the person does not represent that the person  
5 is a psychologist or describe the service provided by using the term  
6 "psychological";

7 (4) the activity or service of a recognized member of  
8 the clergy who is acting within the person's ministerial  
9 capabilities if the person does not:

10 (A) represent that the person is a psychologist;  
11 or

12 (B) describe the service provided by using the  
13 term "psychological"; ~~or~~

14 (5) the voluntary activity or service of a person  
15 employed by or working on behalf of a charitable nonprofit  
16 organization if the person does not:

17 (A) represent that the person is a psychologist;  
18 or

19 (B) describe the service provided by using the  
20 term "psychological"; or

21 (6) the activity or service of a person who is employed  
22 by a governmental agency if the person:

23 (A) performs duties the person is employed by the  
24 agency to perform within the confines of the agency; and

25 (B) does not represent that the person is a  
26 psychologist. ["

27 SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2013.