

By: Coleman

H.B. No. 3268

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and practice of psychological associates.

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

SECTION 1. Section 501.259, Occupations Code, is amended to read as follows:

Sec. 501.259. LICENSING OF AND PRACTICE BY PSYCHOLOGICAL ASSOCIATE. (a) A person may not be licensed as a psychological associate unless the person:

(1) holds at least a master's degree or its equivalent in psychology from a regionally accredited institution of higher education;

(2) completes at least 60 hours of graduate course work at a regionally accredited institution of higher education in the professionally accepted foundation areas of psychology, including scientific and professional ethics and the laws governing the practice of psychology;

(3) completes at least 6 but not more than 12 semester hours of practicum, internship, or structured experience as part of the 60 hours required in Subdivision (2); and

(4) passes:

(A) a nationally recognized qualifying examination determined to be appropriate by the board; and

(B) a jurisprudence examination administered by the board [~~The board shall set standards for the issuance of~~

1 ~~licenses to psychological personnel who hold a master's degree from~~
2 ~~an accredited university or college in a program that is primarily~~
3 ~~psychological in nature].~~

4 (b) Notwithstanding Subsection (a)(2), a person who begins
5 graduate course work required under that subdivision at a
6 regionally accredited institution of higher education before
7 August 1, 2019, must complete 48 hours of the graduate course work
8 described by that subdivision to satisfy the requirements of that
9 subdivision. This subsection expires August 1, 2029.

10 (c) The board shall designate a person who holds a license
11 authorized by this section by the [a] title "psychological
12 associate [that includes the adjective "psychological" followed by
13 a noun such as "associate," "assistant," "examiner," or
14 "technician]."

15 (d) A psychological associate who completes at least 3,000
16 hours of supervised experience after the date the psychological
17 associate is licensed to engage in the practice of psychology as a
18 psychological associate is not required to be supervised by a
19 psychologist.

20 (e) For purposes of Subsection (d), experience is
21 supervised only if the experience is supervised by a psychologist
22 in the manner provided by the board's supervision guidelines.

23 (f) This section does not prohibit a psychological
24 associate who has completed the 3,000 hours of supervised
25 experience described by Subsection (d) from practicing under the
26 supervision of a psychologist:

27 (1) for the purpose of obtaining competency in the

1 application of new techniques; or

2 (2) as required by the board in response to a complaint
3 filed with the board or as part of a disciplinary action taken by
4 the board.

5 SECTION 2. Section 32.024, Human Resources Code, is amended
6 by adding Subsection (11) to read as follows:

7 (11) The executive commissioner shall establish a separate
8 provider type for psychological associates licensed under Chapter
9 501, Occupations Code, for purposes of enrollment as a provider for
10 and reimbursement under the medical assistance program.

11 SECTION 3. Section 32.027(1), Human Resources Code, is
12 amended to read as follows:

13 (1) Subject to appropriations, the commission shall assure
14 that a recipient of medical assistance under this chapter may
15 select a licensed psychologist, a licensed psychological
16 associate, a licensed marriage and family therapist, as defined by
17 Section 502.002, Occupations Code, a licensed professional
18 counselor, as defined by Section 503.002, Occupations Code, or a
19 licensed master social worker, as defined by Section 505.002,
20 Occupations Code, to perform any health care service or procedure
21 covered under the medical assistance program if the selected person
22 is authorized by law to perform the service or procedure. This
23 subsection shall be liberally construed.

24 SECTION 4. Section 1451.001(18), Insurance Code, is amended
25 to read as follows:

26 (18) "Psychological associate" means an individual
27 licensed as a psychological associate by the Texas State Board of

1 Examiners of Psychologists [~~who practices solely under the~~
2 ~~supervision of a licensed psychologist~~].

3 SECTION 5. As soon as practicable, the Texas State Board of
4 Examiners of Psychologists shall adopt rules necessary to implement
5 the changes made by this Act.

6 SECTION 6. (a) A person is entitled to engage in the
7 practice of psychology as a psychological associate without being
8 supervised by a psychologist and without fulfilling the educational
9 and experience requirements prescribed by Section 501.259,
10 Occupations Code, as amended by this Act, if, before January 1,
11 2018, the person submits to the Texas State Board of Examiners of
12 Psychologists proof that the person:

13 (1) holds at least a master's degree or its equivalent
14 from an accredited institution of higher education in a program
15 that is primarily psychological in nature;

16 (2) is currently licensed in good standing as a
17 psychological associate in this state; and

18 (3) has been continuously practicing during the
19 two-year period preceding the effective date of this Act as:

- 20 (A) a licensed psychological associate;
- 21 (B) a licensed specialist in school psychology;
- 22 (C) a licensed marriage and family therapist;
- 23 (D) a licensed professional counselor; or
- 24 (E) a licensed social worker.

25 (b) The Texas State Board of Examiners of Psychologists may
26 renew an expired psychological associate license of a person and
27 authorize the person to engage in the practice of psychology as a

1 psychological associate without being supervised by a psychologist
2 and without fulfilling the educational and experience requirements
3 prescribed by Section 501.259, Occupations Code, as amended by this
4 Act, if, before January 1, 2018, the person submits to the Texas
5 State Board of Examiners of Psychologists proof that the person:

6 (1) holds at least a master's degree or its equivalent
7 from an accredited institution of higher education in a program
8 that is primarily psychological in nature;

9 (2) was licensed as a psychological associate in this
10 state; and

11 (3) is currently licensed in good standing in this
12 state and has been continuously practicing during the two-year
13 period preceding the effective date of this Act as:

14 (A) a licensed specialist in school psychology;

15 (B) a licensed marriage and family therapist;

16 (C) a licensed professional counselor; or

17 (D) a licensed social worker.

18 SECTION 7. The educational requirements prescribed by
19 Sections 501.259(a) and (b), Occupations Code, as amended by this
20 Act, apply only to a person who files an initial application for a
21 psychological associate license on or after the effective date of
22 this Act.

23 SECTION 8. If, before implementing any provision of this
24 Act, a state agency determines that a waiver or authorization from a
25 federal agency is necessary for implementation of that provision,
26 the agency affected by the provision shall request the waiver or
27 authorization and may delay implementing that provision until the

1 waiver or authorization is granted.

2 SECTION 9. This Act takes effect September 1, 2017.