

By: Watson

S.B. No. 2001

A BILL TO BE ENTITLED

AN ACT

relating to defining the practice of psychology.

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

SECTION 1. Section 501.003, Occupations Code, is amended to read as follows:

Sec. 501.003. PRACTICE OF PSYCHOLOGY. (a) In this section, "psychological services" means acts or behaviors that are included within the purview of the practice of psychology.

(b) A person is engaged in the practice of psychology within the meaning of this chapter if the person:

(1) represents himself or herself to the public by a title or description of services that includes the word "psychological," "psychologist," or "psychology" when providing or offering to provide psychological services to another in a professional relationship;

(2) provides or offers to provide psychological services to individuals, groups, organizations, or the public in a professional relationship;

(3) is a psychologist or psychological associate employed as described by Section 501.004(a)(1) who offers or provides psychological services, other than lecture services, to the public for consideration separate from the salary that person receives for performing the person's regular duties; or

(4) is employed as a psychologist or psychological

1 associate by an organization that sells psychological services,  
2 other than lecture services, to the public for consideration.

3 (c) The practice of psychology is defined as:

4 (1) the observation, description, diagnosis,  
5 evaluation, assessment, interpretation, or intervention in and  
6 treatment of human behavior by applying education, training,  
7 methods, and procedures for the purposes of

8 (A) preventing, predicting, treating,  
9 remediating or eliminating:

10 (i) symptomatic, maladaptive, or undesired  
11 behavior;

12 (ii) emotional, interpersonal, learning,  
13 substance use, neuropsychological, cognitive, or behavioral  
14 disorders or disability, including those that accompany medical  
15 problems; or

16 (iii) mental illness.

17 (B) facilitating the enhancement of individual,  
18 group, or organizational effectiveness -including personal  
19 effectiveness, adaptive behavior, interpersonal relationships,  
20 academic, vocational, and life adjustment, health, and individual,  
21 group, or organizational performance, when such facilitation is  
22 offered or provided by a licensee or a person who represents the  
23 person to the public by a title or description of services that  
24 includes the term "psychology," "psychological," or  
25 "psychologist."

26 (C) providing psychological,  
27 neuropsychological, and psychoeducational evaluation, therapy and

1 remediation as well as counseling, psychoanalysis, psychotherapy,  
2 hypnosis, biofeedback, and behavior analysis and therapy;

3 (D) providing professional psychological  
4 expertise and services in legal proceedings

5 (E) consulting with others, such as other mental  
6 health professionals, physicians, school personnel, or  
7 organizations within the scope of the provider's competency and  
8 training with respect to services provided for a specific  
9 individual.

10 (2) includes the supervision of any of the activities  
11 or services listed under paragraph (1) above.

12 (3) does not include the following situations if at  
13 least one of the requirements under subsection (A) and all of the  
14 requirements under subsection (B) are met:

15 (A) the offering of advice, counsel, or guidance  
16 addressing or affecting the mental, emotional, or behavioral health  
17 of another individual, whether solicited or unsolicited, when:

18 (i) the advice, counsel, or guidance is not  
19 offered in the context of a professional relationship;

20 (ii) the primary focus of the provider's  
21 occupation is other than the delivery of mental, emotional, or  
22 behavioral health care services and the person is offering the  
23 advice, counsel, or guidance ancillary to the person's occupation;

24 or

25 (iii) the advice, counsel, or guidance is  
26 offered within the context of an organized or structured program or  
27 peer support service that is designed to support or assist

1 individuals with a self-identified goal of changing or improving  
2 certain aspects of their mental, emotional, or behavioral health;  
3 and

4 (B) the individual offering the advice, counsel,  
5 or guidance does not represent:

6 (i) himself or herself to be a licensee of  
7 the Board, or that he or she is otherwise engaged in the delivery of  
8 psychological services; and

9 (ii) the advice, counsel, or guidance as  
10 being psychological in nature.

11 ~~[(a) In this section, "psychological services" means acts~~  
12 ~~or behaviors that are included within the purview of the practice of~~  
13 ~~psychology.~~

14 ~~(b) A person is engaged in the practice of psychology within~~  
15 ~~the meaning of this chapter if the person:~~

16 ~~(1) represents the person to the public by a title or~~  
17 ~~description of services that includes the word "psychological,"~~  
18 ~~"psychologist," or "psychology";~~

19 ~~(2) provides or offers to provide psychological services to~~  
20 ~~individuals, groups, organizations, or the public;~~

21 ~~(3) is a psychologist or psychological associate employed~~  
22 ~~as described by Section 501.004(a)(1) who offers or provides~~  
23 ~~psychological services, other than lecture services, to the public~~  
24 ~~for consideration separate from the salary that person receives for~~  
25 ~~performing the person's regular duties; or~~

26 ~~(4) is employed as a psychologist or psychological~~  
27 ~~associate by an organization that sells psychological services;~~

1 ~~other than lecture services, to the public for consideration.~~

2 ~~(c) The practice of psychology:~~

3 ~~(1) includes providing or offering to provide services to an~~  
4 ~~individual or group, including providing computerized procedures,~~  
5 ~~that include the application of established principles, methods,~~  
6 ~~and procedures of describing, explaining, and ameliorating~~  
7 ~~behavior;~~

8 ~~(2) addresses normal behavior and involves evaluating,~~  
9 ~~preventing, and remediating psychological, emotional, mental,~~  
10 ~~interpersonal, learning, and behavioral disorders of individuals~~  
11 ~~or groups, as well as the psychological disorders that accompany~~  
12 ~~medical problems, organizational structures, stress, and health;~~

13 ~~(3) includes:~~

14 ~~(A) using projective techniques, neuropsychological~~  
15 ~~testing, counseling, career counseling, psychotherapy, hypnosis~~  
16 ~~for health care purposes, hypnotherapy, and biofeedback; and~~

17 ~~(B) evaluating and treating mental or emotional disorders~~  
18 ~~and disabilities by psychological techniques and procedures; and~~

19 ~~(4) is based on:~~

20 ~~(A) a systematic body of knowledge and principles acquired~~  
21 ~~in an organized program of graduate study; and~~

22 ~~(B) the standards of ethics established by the profession.]~~

23 SECTION 7. This Act takes effect September 1, 2017.