

1-1 By: Watson S.B. No. 2001
 1-2 (In the Senate - Filed March 10, 2017; March 27, 2017, read
 1-3 first time and referred to Committee on Health & Human Services;
 1-4 April 18, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 18, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2001 By: Watson

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the conduct that constitutes the practice of
 1-22 psychology.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 501.003, Occupations Code, is amended to
 1-25 read as follows:

1-26 Sec. 501.003. DEFINITION: PRACTICE OF PSYCHOLOGY. (a) In
 1-27 this chapter:

1-28 (1) "Practice of psychology" means:

1-29 (A) the observation, description, diagnosis,
 1-30 evaluation, assessment, interpretation, or treatment of and
 1-31 intervention in human behavior by applying education, training,
 1-32 methods, and procedures for the purpose of:

1-33 (i) preventing, predicting, treating,
 1-34 remediating, or eliminating:

1-35 (a) symptomatic, maladaptive, or
 1-36 undesired behavior;

1-37 (b) emotional, interpersonal,
 1-38 learning, substance use, neuropsychological, cognitive, or
 1-39 behavioral disorders or disabilities, including those that
 1-40 accompany medical problems; or

1-41 (c) mental illness;

1-42 (ii) evaluating, assessing, or
 1-43 facilitating, by a license holder or a person who represents the
 1-44 person to the public by a title or description of services that
 1-45 includes the word "psychological," "psychologist," or
 1-46 "psychology," the enhancement of individual, group, or
 1-47 organizational effectiveness, including evaluating, assessing, or
 1-48 facilitating:

1-49 (a) personal effectiveness;

1-50 (b) adaptive behavior;

1-51 (c) interpersonal relationships;

1-52 (d) academic, vocational, and life
 1-53 adjustment;

1-54 (e) health; or

1-55 (f) individual, group, or
 1-56 organizational performance;

1-57 (iii) providing psychological,
 1-58 neuropsychological, and psychoeducational evaluation, therapy, and
 1-59 remediation as well as counseling, psychoanalysis, psychotherapy,
 1-60 hypnosis, and biofeedback; or

2-1 (iv) consulting with others, including
2-2 other mental health professionals, physicians, school personnel,
2-3 or organizations within the scope of the provider's competency and
2-4 training with respect to services provided for a specific
2-5 individual; or

2-6 (B) the supervision of an activity or service
2-7 described by Paragraph (A).

2-8 (2) "Psychological [section, "psychological]
2-9 services" means acts or behaviors that are included within the
2-10 purview of the practice of psychology.

2-11 (b) A person is engaged in the practice of psychology
2-12 [within the meaning of this chapter] if the person:

2-13 (1) when providing or offering to provide
2-14 psychological services to another in a professional relationship,
2-15 represents the person to the public by a title or description of
2-16 services that includes the word "psychological," "psychologist,"
2-17 or "psychology";

2-18 (2) provides or offers to provide psychological
2-19 services to individuals, groups, organizations, or the public in a
2-20 professional relationship;

2-21 (3) is a psychologist or psychological associate
2-22 employed as described by Section 501.004(a)(1) who offers or
2-23 provides psychological services, other than lecture services, to
2-24 the public for consideration separate from the salary that person
2-25 receives for performing the person's regular duties; or

2-26 (4) is employed as a psychologist or psychological
2-27 associate by an organization that sells psychological services,
2-28 other than lecture services, to the public for consideration.

2-29 (c) A person is not engaged in the [The] practice of
2-30 psychology based solely on the person offering, regardless of
2-31 whether the person is solicited, advice, counsel, or guidance
2-32 addressing or affecting the mental, emotional, or behavioral health
2-33 of another, if the person does not represent that the person is
2-34 licensed under this chapter or engaged in the delivery of
2-35 psychological services and does not represent that the advice,
2-36 counsel, or guidance is psychological in nature, and:

2-37 (1) the advice, counsel, or guidance is not offered in
2-38 the context of a professional relationship;

2-39 (2) if the person is offering the advice, counsel, or
2-40 guidance in connection with the person's occupation, the primary
2-41 focus of the occupation is not the delivery of mental, emotional, or
2-42 behavioral health care services; or

2-43 (3) the advice, counsel, or guidance is offered
2-44 through an organized or structured program or peer support service
2-45 that is designed to support or assist a person with a
2-46 self-identified goal of changing or improving certain aspects of
2-47 the person's mental, emotional, or behavioral health [includes
2-48 providing or offering to provide services to an individual or
2-49 group, including providing computerized procedures, that include
2-50 the application of established principles, methods, and procedures
2-51 of describing, explaining, and ameliorating behavior;

2-52 [(2) addresses normal behavior and involves
2-53 evaluating, preventing, and remediating psychological, emotional,
2-54 mental, interpersonal, learning, and behavioral disorders of
2-55 individuals or groups, as well as the psychological disorders that
2-56 accompany medical problems, organizational structures, stress, and
2-57 health;

2-58 [(3) includes:

2-59 [(A) using projective techniques,
2-60 neuropsychological testing, counseling, career counseling,
2-61 psychotherapy, hypnosis for health care purposes, hypnotherapy,
2-62 and biofeedback; and

2-63 [(B) evaluating and treating mental or emotional
2-64 disorders and disabilities by psychological techniques and
2-65 procedures; and

2-66 [(4) is based on:

2-67 [(A) a systematic body of knowledge and
2-68 principles acquired in an organized program of graduate study; and

2-69 [(B) the standards of ethics established by the

3-1 profession].

3-2 SECTION 2. This Act takes effect September 1, 2017.

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