87R6325 KKR-D

By:  Romero, Jr. H.B. No. 3626

A BILL TO BE ENTITLED

AN ACT

relating to the licensing of certain out-of-state applicants as a psychologist, marriage and family therapist, professional counselor, or social worker.

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

SECTION 1.  Section 501.2525(c), Occupations Code, is amended to read as follows:

(c)  Subsection (a)(2)(A) does not apply to an applicant who:

(1)  is licensed in good standing in another state to independently practice psychology; and

(2)  has independently practiced psychology in that state for at least the two [~~five~~] years preceding the date the application is submitted.

SECTION 2.  Section 501.256(c), Occupations Code, is amended to read as follows:

(c)  The executive council may waive the discipline and professional segment of the examination requirement for an applicant who:

(1)  is a specialist of the American Board of Professional Psychology; [~~or~~]

(2)  in the executive council's judgment, has demonstrated competence in the areas covered by the examination; or

(3)  meets the criteria provided by Section 501.2525(c).

SECTION 3.  Section 502.252, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d)  Subsections (c)(2) and (c)(3) do not apply to an applicant who:

(1)  is licensed in good standing in another state to independently practice as a licensed marriage and family therapist; and

(2)  has independently practiced as a licensed marriage and family therapist in that state for at least the two years preceding the date the application is submitted.

SECTION 4.  Section 502.2545(a), Occupations Code, is amended to read as follows:

(a)  The executive council may waive the requirement that an applicant for a license as a licensed marriage and family therapist pass the examination required by Section 502.254 if the applicant:

(1)  is a provisional license holder under Section 502.259 and the executive council determines that the applicant possesses sufficient education and professional experience to receive a license without further examination; [~~or~~]

(2)  holds a license issued by another licensing agency in a profession related to the practice of marriage and family therapy and the executive council determines that the applicant possesses sufficient education and professional experience to receive a license without satisfying the examination requirements of this chapter; or

(3)  meets the criteria provided by Section 502.252(d).

SECTION 5.  Section 503.302, Occupations Code, is amended by adding Subsections (a-1) and (a-2) to read as follows:

(a-1)  Subsection (a)(4) does not apply to an applicant who:

(1)  is licensed in good standing in another state to independently practice as a professional counselor or as an art therapist; and

(2)  has independently practiced as a professional counselor or an art therapist in that state for at least the two years preceding the date the application is submitted.

(a-2)  The executive council may waive the requirement that an applicant pass the license examination required by Subsection (a)(5) if the applicant meets the criteria provided by Subsection (a-1). The applicant must pass the jurisprudence examination.

SECTION 6.  Section 505.3575, Occupations Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a)  Notwithstanding any other licensing requirement of this subchapter:

(1)  the executive council may not require an applicant who is licensed in good standing in another state to pass a licensing examination conducted by the executive council under Section 505.354 if an applicant with substantially equivalent experience who resides in this state would not be required to take the licensing examination; [~~and~~]

(2)  the executive council may waive the requirement that an applicant not otherwise described by Subdivision (1) pass a licensing examination conducted by the executive council under Section 505.354 if the applicant:

(A)  is licensed in good standing in another state to independently practice as a social worker; and

(B)  has independently practiced as a licensed social worker in that state for at least the two years preceding the date the application is submitted; and

(3)  the executive council may issue a license to an applicant who is currently licensed in another state to independently practice social work if:

(A)  after an assessment, the executive council determines that the applicant:

(i)  demonstrates sufficient experience and competence, subject to Subsection (c);

(ii)  has passed the jurisprudence examination conducted by the executive council under Section 505.3545; and

(iii)  at the time of the application, is in good standing with the regulatory agency of the state in which the applicant is licensed; and

(B)  the applicant presents to the executive council credentials that the applicant obtained from a national accreditation organization and the executive council determines that the requirements to obtain the credentials are sufficient to minimize any risk to public safety.

(c)  An applicant satisfies the requirements of Subsection (a)(3)(A)(i) if the applicant:

(1)  is licensed in good standing in another state to independently practice as a social worker; and

(2)  has independently practiced as a licensed social worker in that state for at least the two years preceding the date the application is submitted.

SECTION 7.  The changes in law made by this Act apply only to an application for a license submitted on or after the effective date of this Act. An application for a license submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and that law is continued in effect for that purpose.

SECTION 8.  This Act takes effect September 1, 2021.