

By: Button

H.B. No. 3728

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a school psychologist licensed under the Occupations
3 Code.

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

5 SECTION 1. Section 38.303(a), Education Code, is amended to
6 read as follows:

7 (a) The task force is composed of:

8 (1) the commissioner or the commissioner's designee;

9 (2) the following additional members appointed by the
10 commissioner:

11 (A) three parents of students who are enrolled in
12 school districts or open-enrollment charter schools and receive the
13 mental health services described by Section 38.302(1);

14 (B) one person who provides the mental health
15 services described by Section 38.302(1) or the training described
16 by Section 38.302(2) and who is:

17 (i) a licensed professional counselor, as
18 defined by Section 503.002, Occupations Code;

19 (ii) a licensed clinical social worker, as
20 defined by Section 505.002, Occupations Code; or

21 (iii) a school counselor certified under
22 Subchapter B, Chapter 21;

23 (C) one person who is a psychiatrist;

24 (D) two persons who are administrators of

1 districts or schools that provide the mental health services
2 described by Section 38.302(1) or the training described by Section
3 38.302(2);

4 (E) one person who is a member of a foundation
5 that invests in the mental health services described by Section
6 38.302(1) or the training described by Section 38.302(2);

7 (F) one person who is an employee of an
8 institution of higher education designated under Section 38.307;
9 and

10 (G) one person who is a [~~licensed specialist in~~
11 school psychologist [~~psychology~~], as defined by Section 501.002,
12 Occupations Code; and

13 (3) for any other entity the task force considers
14 necessary, one person appointed by the task force for each such
15 entity.

16 SECTION 2. Section 48.1021(b), Education Code, is amended
17 to read as follows:

18 (b) The advisory committee consists of the following
19 members appointed by the commissioner:

20 (1) a parent of a student eligible to participate in a
21 school district's special education program under Section 29.003;

22 (2) a director of a school district's special
23 education program under Subchapter A, Chapter 29;

24 (3) a teacher certified in special education;

25 (4) a diagnostician;

26 (5) a [~~licensed specialist in~~] school psychologist, as
27 defined by Section 501.002, Occupations Code [~~psychology~~];

- 1 (6) a provider who provides related services, as
2 described by Section 29.002(2);
- 3 (7) a superintendent of a school district;
- 4 (8) a member of a school district's board of trustees;
- 5 (9) a representative of a disability advocacy
6 organization;
- 7 (10) a member of the special education continuing
8 advisory committee under Section 29.006;
- 9 (11) a teacher certified in general education;
- 10 (12) a student eligible to participate in a school
11 district's special education program under Section 29.003;
- 12 (13) a representative of a regional education service
13 center; and
- 14 (14) a school district official who handles business
15 and finance matters for the district.

16 SECTION 3. Section 531.02171(a), Government Code, is
17 amended to read as follows:

18 (a) In this section, "health professional" means an
19 individual who is:

- 20 (1) licensed, registered, certified, or otherwise
21 authorized by this state to practice as a social worker,
22 occupational therapist, or speech-language pathologist;
- 23 (2) a licensed professional counselor;
- 24 (3) a licensed marriage and family therapist; or
- 25 (4) a ~~[licensed specialist in]~~ school psychologist, as
26 defined by Section 501.002, Occupations Code [psychology].

27 SECTION 4. Section 501.002(2), Occupations Code, is amended

1 to read as follows:

2 (2) "School psychologist" [~~"Licensed specialist in~~
3 ~~school psychology"~~] means a person who holds a license to engage in
4 the practice of psychology under Section 501.260.

5 SECTION 5. Section 501.051(a-1), Occupations Code, is
6 amended to read as follows:

7 (a-1) One of the members appointed under Subsection (a)(1)
8 or (a)(2) must practice as a [~~licensed specialist in~~ school
9 psychologist [~~psychology~~] under Section 501.260.

10 SECTION 6. The heading to Section 501.260, Occupations
11 Code, is amended to read as follows:

12 Sec. 501.260. [~~LICENSED SPECIALIST IN~~] SCHOOL PSYCHOLOGIST
13 [~~PSYCHOLOGY~~].

14 SECTION 7. Sections 501.260(a) and (c), Occupations Code,
15 are amended to read as follows:

16 (a) The executive council by rule shall issue a license to a
17 [~~licensed specialist in~~ school psychologist [~~psychology~~]. A
18 license issued under this section constitutes the appropriate
19 credential for a person who provides psychological services as
20 required by Section 21.003(b), Education Code.

21 (c) The rules of practice for a [~~licensed specialist in~~
22 school psychologist [~~psychology~~] must comply with nationally
23 recognized standards for the practice of school psychology.

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