

Amend CSSB 26 (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 8.151, Education Code, is amended to read as follows:

Sec. 8.151. DEFINITIONS. In this subchapter:

(1) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

(2) "Local~~[,—"local]~~ mental health authority" and "non-physician mental health professional" have the meanings assigned by Section 571.003, Health and Safety Code.

SECTION _____. Section 8.152, Education Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) If a local mental health authority is unable to employ a professional who qualifies as a non-physician mental health professional, the authority may request a waiver from the executive commissioner for approval to employ, for purposes of performing the functions and duties of a non-physician mental health professional under this subchapter, a person who:

(1) is a licensed master social worker, as defined by Section 505.002, Occupations Code; or

(2) has been issued a licensed professional counselor associate license by the Texas State Board of Examiners of Professional Counselors.

(d) A person approved under a waiver under Subsection (c) shall carry out the functions and duties required of a non-physician mental health professional under this subchapter in the same manner as a non-physician mental health professional employed under Subsection (a) or (b).

SECTION _____. Not later than November 1, 2024, the executive commissioner of the Health and Human Services Commission shall by rule establish the process for requesting a waiver under Section 8.152(c), Education Code, as added by this Act.