

## **BILL ANALYSIS**

Senate Research Center

H.B. 1719  
By: Coleman (Galloway)  
Health & Human Services  
5-5-97  
Engrossed

### **DIGEST**

Certification is the first step of professional regulation for a person seeking to become a licensed psychologist. A certified psychologist must practice psychology for two years under the supervision of a licensed psychologist in order to become eligible for licensure. Licensure is the second and final step to become a licensed psychologist. As a licensed psychologist, the person may engage in the practice of psychology independently without supervision. This bill replaces references to "certified" with the term "provisionally licensed" in order to more accurately reflect the true status of the individual as well as bring continuity and clarity to the licensing process. H.B. 1719 also updates certain statutory references.

### **PURPOSE**

As proposed, H.B. 1719 sets forth new regulations for psychologists and the powers and duties of the Texas State Board of Examiners of Psychologists.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Texas State Board of Examiners of Psychologists in SECTION 3 (Section 8, Article 4512c, V.T.C.S.) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1, Article 5412c, V.T.C.S. (Psychologists' Certification and Licensing Act), to authorize this Act to be known and cited as the "Psychologists' Licensing Act" rather than the "Psychologists' Certification and Licensing Act."

SECTION 2. Amends Section 2, Article 4512c, V.T.C.S., to define "license," "licensed specialist in school psychology," "provisional license," "psychologist," and "psychological associate." Redefines "board." Makes conforming and nonsubstantive changes.

SECTION 3. Amends Section 8, Article 4512c, V.T.C.S., by amending Subsections (j) and (m), and adding Subsections (n) and (o), to require the Texas State Board of Examiners of Psychologists (board) to adopt rules prescribing the activities that may be provided by a holder of a provisional license or certificate. Requires rules adopted under this subsection to apply to both provisional license holders and certificate holders. Requires the board, by rule, to provide that a certificate holder may be issued a provisional license in lieu of renewal of the certificate when the certificate expires. Makes conforming and standard recodification changes.

SECTION 4. Amends Section 8A(a), Article 4512c, V.T.C.S., to require a policy statement to include personnel policies that are in compliance with Chapter 21, Labor Code, rather than in compliance with the Commission on Human Rights Act (Article 5221k, V.T.C.S.) and its subsequent amendments.

SECTION 5. Amends Section 8D(c), Article 4512c, V.T.C.S., to make standard recodification changes.

SECTION 6. Amends Section 11, Article 4512c, V.T.C.S., as follows:

Sec. 11. New heading: PROVISIONAL LICENSE; QUALIFICATION OF APPLICANT FOR EXAMINATION FOR PROVISIONAL LICENSE. Provides that an applicant is qualified to take the examination for provisional licensure, rather than certification, as a psychologist if the applicant meets the requirements provided by this section. Requires the applicant, in addition to the requirements of Subsection (b) or (c), to have not represented the applicant as being licensed under this Act to practice psychology at a time that the applicant was not licensed under this Act to practice psychology, or practiced psychology in this state without a license issued under this Act, or without being exempt under this Act, except as provided by Section 15B of this Act. Makes conforming and nonsubstantive changes.

SECTION 7. Amends Section 12, Article 4512c, V.T.C.S., to require the required fees to accompany the application. Makes a conforming change.

SECTION 8. Amends Sections 14(a) and (c), Article 4512c, V.T.C.S., to require the board to administer the oral and written examinations required by board rules to qualified applicants for licensure at least once a year. Requires the jurisprudence examination to be administered to and passed by all applicants before the board may issue a provisional license.

SECTION 9. Amends Section 15, Article 4512c, V.T.C.S., as follows:

Sec. 15. New heading: ISSUANCE OF PROVISIONAL LICENSE. Makes conforming changes.

SECTION 10. Amends Section 15A, Article 4512c, V.T.C.S., to make conforming changes.

SECTION 11. Amends Section 16B(a), Article 4512c, V.T.C.S., to make conforming and nonsubstantive changes.

SECTION 12. Amends Sections 17(a)-(g), Article 4512c, V.T.C.S., to make conforming and nonsubstantive changes.

SECTION 13. Amends Section 19A(k), Article 4512c, V.T.C.S., to make standard recodification changes.

SECTION 14. Amends Section 20, Article 4512c, V.T.C.S., to prohibit a person from engaging in the practice of psychology or representing the person as a person engaged in the practice of psychology within the meaning of this Act unless the person is licensed under this Act or is exempt under Section 22 of this Act.

SECTION 15. Amends Section 21(a), Article 4512c, V.T.C.S., to make conforming and nonsubstantive changes.

SECTION 16. Amends Section 23, Article 4512c, V.T.C.S., as follows:

Sec. 23. New heading: REVOCATION, CANCELLATION, OR SUSPENSION OF LICENSE; CIVIL PENALTY. Makes conforming and standard recodification changes.

SECTION 17. Amends Sections 23A(i), (j), (n), and (r), Article 4512c, V.T.C.S., to make standard recodification changes.

SECTION 18. Amends Sections 23B(a), (c), and (d), Article 5412c, V.T.C.S., to make conforming changes.

SECTION 19. Amends Section 24A, Article 4512c, V.T.C.S., to make conforming changes.

SECTION 20. Amends Sections 25A(e)-(h), Article 4512c, V.T.C.S., to make conforming changes.

SECTION 21. Amends Section 25C(a), Article 4512c, V.T.C.S., to make standard

recodification changes.

SECTION 22. Amends Section 25D, Article 4512c, V.T.C.S., to make conforming and nonsubstantive changes.

SECTION 23. Effective date: September 1, 1997.

SECTION 24. Emergency clause.