

BILL ANALYSIS

Senate Research Center
76R2640 MXM-D

H.B. 923
By: Coleman (Moncrief)
Health Services
5/9/1999
Engrossed

DIGEST

The Licensed Professional Counselor Act was passed by the 75th Legislature in response to the increasing demand to establish equivalence between mental health disciplines. This Act increased the number of required supervised hours for licensure of a professional counselor. Currently, the Act contains conflicting language regarding reciprocity for out-of-state licensed counselors moving to Texas. H.B. 923 would regulate licensed professional counselors.

PURPOSE

As proposed, H.B. 923 regulates licensed professional counselors.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 5(f), Article 4512g, V.T.C.S. (Licensed Professional Counselor Act), to require the executive director, rather than executive secretary, to notify the governor and the attorney general that a potential ground for removal exists, if the executive director, rather than executive secretary, has knowledge that a potential ground for removal exists.

SECTION 2. Amends Section 8(a), Article 4512g, V.T.C.S., to make conforming changes.

SECTION 3. Amends Section 10(a), Article 4512g, V.T.C.S., to provide that a person is a qualified applicant if the person has successfully completed a graduate degree at a regionally accredited institution of higher education and a planned graduate program of 48 graduate semester hours; and has completed 36 months or 3,000 hours of supervised experience working in a counseling setting that meets the requirements established by the Texas State Board of Examiners of Professional Counselors (board) after the completion of the 48 graduate semester hour program. Deletes text providing that a person is a qualified applicant if the person has successfully completed a graduate degree at a regionally accredited institution of higher education and a planned graduate program of 48 graduate semester hours or the substantial equivalent; and has completed 36 months or 3,000 hours of supervised experience working in a counseling setting that meets the requirements established by the board after the completion of the 48 graduate semester hour or equivalent graduate program.

SECTION 4. Amends Section 14(i), Article 4512g, V.T.C.S., to delete text requiring the proration of license fees.

SECTION 5. Amends Section 16C(c), Article 4512g, V.T.C.S., to make a conforming change.

SECTION 6. Amends Section 18(c), Article 4512g, V.T.C.S., to delete text requiring the board to issue a license to the holder of a provisional license if the provisional licensee passes the examination required by Section 12 of this Act. Makes conforming changes.

SECTION 7. (a) Effective date: September 1, 1999.

(b) Makes application of this Act prospective.

(c) Provides that the amendment of Section 18(c), Article 4512g, V.T.C.S. (Licensed

Professional Counselor Act), by this Act is intended to clarify the law in effect before the effective date of this Act.

SECTION 8. Emergency clause.