

BILL ANALYSIS

Senate Research Center
76R6150 JMM-D

C.S.S.B. 413
By: Madla
Health Services
2/24/1999
Committee Report (Substituted)

DIGEST

Currently, marriage and family therapists are required by law to receive 2000 hours of “supervised clinical practice” after receiving their graduate degree in order to qualify for a license. However, many HMOs require 3000 supervised clinical hours for counselors to qualify to be included on their provider panels. This limits a marriage and family therapist’s ability to be selected as a provider for insurance plans. C.S.S.B. 413 will require marriage and family therapists to complete 3000 supervised clinical practice hours to qualify for a license as a marriage and family therapist. C.S.S.B. 413 will also create a licensing designation for a marriage and family therapist “associate.”

PURPOSE

As proposed, C.S.S.B. 413 regulates the practice of marriage and family practice.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas State Board of Examiners of Marriage and Family Therapists in SECTION 7 (Section 22A(b), Article 4512c-1, V.T.C.S.) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2, Article 4512c-1, V.T.C.S. (Licensed Marriage and Family Therapist Act), by amending Subdivision (6) to define a “licensed marriage and family therapist associate” as an individual who provides marriage and family therapy for compensation under the supervision of a board-approved supervisor.

SECTION 2. Amends Section 15(b), Article 4512c-1, V.T.C.S., to prohibit an unlicensed person from using the title “licensed marriage and family therapist” or “licensed marriage and family therapist associate.”

SECTION 3. Amends Section 17, Article 4512c-1, V.T.C.S., to require a license applicant to file a written application and pay an appropriate application fee. Provides that a person is eligible to apply for a license as a licensed marriage and family therapist associate if the person has completed a graduate internship in marriage and family therapy, or an equivalent internship, as approved by the Texas State Board of Examiners of Marriage and Family Therapists(board) and has passed an examination determined by the board. Requires an applicant for a license as a licensed marriage and family therapist associate under Subsection (b) of this section to file an application no later than the 90th day before the date of the examination that the applicant intends to take. Provides that an applicant is eligible to apply for a license as a licensed marriage and family therapist if the person holds a license as a marriage and family therapist associate; meets the requirements of Subsections (b) (5)-(9) of this section; and after receipt of a degree described by Subsection (b) (4) of this section, has completed two years of work experience in marriage and family therapist services that includes at least 3000 hours of clinical practice comprised of at least 1,500 hours of direct clinical services and at least 750 hours of direct clinical services to couples or families. Requires the clinical hours required under Subsection (d) of this section to be supervised in a manner acceptable to the board, including at least 200 hours of supervision of the provision of direct clinical services by the applicant of which at least 100 hours must be supervised on an individual basis. Makes a conforming change.

SECTION 4. Amends Section 18, Article 4512c-1, V.T.C.S., to require the board to investigate each application and other evidence submitted. Requires the board to notify each applicant whether the application has been accepted or rejected, except as provided by Subsection (c) of this section, not later than

the 90th day after, rather than the 30th day before, the date of receipt of a completed application for a license as a licensed marriage and family therapist associate. Provides that an applicant for a license as a licensed marriage and family therapist associate is eligible to take the examination if the applicant: is enrolled in a graduate internship described by Section 17(b) (2) of this Act and provides proof to the board that the applicant is a student in good standing in an educational program described by Section 17(b) (4) of this Act; or has completed the internship described by Subdivision (1) of this subsection but has not graduated from an educational program described by Section 17(b) (4) of this Act. Deletes text regarding an eligible person's work experience. Makes conforming changes.

SECTION 5. Amends Section 19(a), Article 4512c-1, V.T.C.S., to require each applicant for a license as a licensed marriage and family therapist associate under this Act to pass an examination prescribed by the board.

SECTION 6. Amends Section 20(a), Article 4512c-1, V.T.C.S., to require the board to issue marriage and family therapist or marriage and family therapist associate licenses as appropriate.

SECTION 7. Amends, Article 4512c-1, V.T.C.S., by adding Section 22A as follows:

Sec. 22A. WAIVER OF EXAMINATION FOR CERTAIN APPLICANTS. Authorizes the board to waive the requirement that an applicant for a marriage and family therapist license must pass the examination required by Section 19 of this Act. Sets forth the conditions which would waive the need to pass the examination. Authorizes the board to adopt rules necessary to administer this section.

SECTION 8. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 9. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 2, Article 4512c-1, V.T.C.S., by amending Subdivision (6), to define a "licensed marriage and family therapist associate" as an individual who provides marriage and family therapy for compensation under the supervision of a board-approved supervisor, rather than under the supervision of a licensed marriage and family therapist.

SECTION 3.

Amends Section 17, Article 4512c-1, V.T.C.S., to provide that a person is eligible to apply for a license as a licensed marriage and family therapist associate if the person has completed a graduate internship in marriage and family therapy, or an equivalent internship, as approved by the board, and has passed an examination determined by the board. Requires an applicant for a license as a licensed marriage and family therapist associate under Subsection (b) of this section to file an application no later than the 90th day before the date of the examination that the applicant intends to take. Provides that an applicant is eligible to apply for a license as a licensed marriage and family therapist if the person holds a license as a marriage and family therapist associate; meets the requirements of Subsections (b) (5)-(9) of this section; and after receipt of a degree described by Subsection (b) (4) of this section, has completed two years of work experience in marriage and family therapist services that includes at least 3,000 hours of clinical practice comprised of at least 1,500 hours of direct clinical services and at least 750 hours of direct clinical services to couples or families. Requires the clinical hours required under Subsection (d) of this section to be supervised in a manner acceptable to the board, including at least 200 hours of supervision of the provision of direct clinical services by the applicant of which at least 100 hours must be supervised on an individual basis. Deletes text regarding an eligible person's work experience requirements. Makes a conforming change.

SECTION 4.

Amends Section 18, Article 4512c-1, V.T.C.S., to require the board to investigate each application and other evidence submitted. Requires the board to notify each applicant whether the application has been accepted or rejected, except as provided by Subsection (c) of this section, not later than the 90th day after the date of receipt of a completed application for a license as a licensed marriage and family therapist associate. Provides that an applicant for a license as a licensed marriage and family therapist associate is eligible to take the examination if the applicant: is enrolled in a graduate internship described by Section 17(b) (2) of this Act and provides proof to the board that the applicant is a student in good standing in an educational program described by Section 17(b) (4) of this Act; or has completed the internship described by Subdivision (1) of this subsection but has not graduated from an educational program described by Section 17(b) (4) of this Act. Adds text regarding the board's investigative requirements. Makes conforming changes.

SECTION 5.

Amends Section 19(a), Licensed Marriage and Family Therapist Act, Article 4512c-1, V.T.C.S., to require each applicant for a license as a licensed marriage and family therapist associate under this Act to pass an examination prescribed by the board.

SECTION 6.

Redesignated from SECTION 5. Amends Section 20(a), Article 4512c-1, V.T.C.S., to require the board to issue marriage and family therapist or marriage and family therapist associate licenses as appropriate.

SECTION 7.

Amends Article 4512c-1, V.T.C.S., by adding Section 22A as follows:

Sec. 22A. WAIVER OF EXAMINATION FOR CERTAIN APPLICANTS. Authorizes the board to waive the requirement that an applicant for a marriage and family therapist license must pass the examination required by Section 19 of this Act. Sets forth the conditions which would waive the need to pass the examination. Authorizes the board to adopt rules necessary to administer this section.

SECTION 8.

Redesignated from SECTION 6.

SECTION 9.

Redesignated from SECTION 7.