

Behavioral Health Boards

Bill Number: H.B. 1501

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Creation of the Texas Behavioral Health Executive Council

- Consolidate the Board of Examiners of Marriage and Family Therapists, Board of Examiners of Professional Counselors, and Board of Social Worker Examiners with the Board of Examiners of Psychologists under a new umbrella agency, the Texas Behavioral Health Executive Council (BHEC), on September 1, 2020.
 - Establish a nine-member executive council consisting of one professional member and one public member appointed from each professional board, as well as a public chair of the council appointed by the governor. Retain each professional board as a governor-appointed board under the overall executive council structure to oversee the substantive regulation of its profession.
 - Prohibit the executive council from adopting rules relating to standards of practice, ethics, license qualifications, and disciplinary sanctions, unless the rule is proposed by the applicable professional board. For these rules, specify the executive council may only adopt the rules as proposed or return the rule to the applicable professional board for revision. Require BHEC to solicit input from each professional board for licensing and disciplinary matters that concern professional standards and qualifications.
 - Direct BHEC to develop policies and procedures to ensure its rulemaking function focuses solely on creating rules governing administration of licensure, investigation, and sanction procedures, and reviewing rules proposed by each licensing board for anti-competitive impacts, administrative consistency, and good governance concerns — not infringing on matters related to professional standards of practice. (Management action – nonstatutory)
- Update the standard across-the-board requirement related to board member training, including training on anticompetitive board behavior.

Licensing and Enforcement

- Require the boards to conduct fingerprint-based criminal background checks of all licensure applicants and licensees.
- Authorize the boards to check for disciplinary actions in other states or from other licensing boards and to pursue any necessary enforcement actions based on the results.
- Remove subjective licensure qualifications.
- Remove the statutory limitation currently restricting the boards' authority to lower fees.
- Remove the statutory requirement that marriage and family therapist applicants have 750 hours of direct clinical services and authorize the marriage and family therapy board to establish the required hours by rule.
- Remove the requirement for a separate provisional psychologist license and instead authorize the board to grant provisional status to applicants for full licensure.

- Authorize the psychology board to provide biennial license renewal.
- Authorize the psychology board to issue remedial plans to resolve minor complaints.
- Clarify the psychology board's authority to require physical or mental evaluations and hold related hearings for noncompliance.
- Extend confidentiality of complaint and investigative information to applicants and non-licensees.

Psychology Oral Exam

- Eliminate the authority for the psychology board to administer an oral exam.

Psychology Supervised Experience

- Authorize the psychology board to count certain pre-doctoral internship hours toward the post-doctoral supervision year.
- Allow qualified psychologists licensed in good standing in other states, who have practiced independently for five years or more, to be exempted from the requirement of two-years supervised experience when applying for a Texas license.

Psychology Compact

- Adopt the Psychology Interjurisdictional Compact.