



# **Texas Department of State Health Services**

## **Texas State Board of Examiners of Marriage and Family Therapists**

Staff Contact: Steve Hopson

H.B. 1413 Truitt, et al. (Whitmire)

---

### **Summary**

The Legislature created the Texas State Board of Examiners of Marriage and Family Therapists in 1991 to ensure that Texans receive services from competent, qualified professionals trained in psychotherapy and family systems. The Board licenses qualified individuals; sets rules and standards for practicing the profession; and enforces the Marriage and Family Therapist Act by investigating and resolving complaints. The Board, through its administrative attachment to the Department of State Health Services, licenses about 3,000 marriage and family therapists, with a staff of three employees and an annual budget of about \$171,000.

The Legislature adopted all of the Sunset Commission's recommendations to improve the licensing and regulation of marriage and family therapists and to make the Board's processes fairer and more efficient. The list below summarizes the major provisions of House Bill 1413, and a more detailed discussion follows.

### **Sunset Provisions**

---

1. Conform Key Elements of the Board's Licensing and Regulatory Functions to Commonly Applied Licensing Practices.
2. Continue Regulation of Marriage and Family Therapists With an Independent Board at the Department of State Health Services for 12 Years.

## Sunset Provisions

---

### **1. Conform Key Elements of the Board's Licensing and Regulatory Functions to Commonly Applied Licensing Practices.**

House Bill 1413 includes 12 provisions that align the regulation of marriage and family therapy with standard licensing agency practices, consisting of the following.

- Clarifies that the Board must address felony and misdemeanor convictions in the standard manner defined in the Occupations Code.
- Removes subjective examination provisions from the Marriage and Family Therapist Act.
- Requires applicants to pass a jurisprudence exam as a condition of licensure.
- Removes exemptions from the Marriage and Family Therapist Act for non-Texas residents to practice without temporary licensure.
- Requires the Board to base delinquent license renewal fees on the normally required renewal fee.
- Requires the Board to include a public member on complaint committees.
- Authorizes the Board to refuse to renew a license as an administrative sanction.
- Increases the maximum administrative penalty of the Board to \$5,000 per violation, per day.
- Authorizes the Board to provide for refunds by licensees to the consumer as part of the settlement conference process.
- Authorizes the Board to issue cease-and-desist orders against unlicensed activity.
- Removes authority for Board members to receive payments for attendance at meetings.
- Clarifies the Board's authority to appoint Board committees, but only composed of Board members.

### **2. Continue Regulation of Marriage and Family Therapists With an Independent Board at the Department of State Health Services for 12 Years.**

This provision continues the Board at the Department of State Health Services for the standard 12-year period.

## **Fiscal Implication Summary**

---

Changing the basis of the late renewal penalties will result in a loss to the General Revenue Fund of \$13,098 per year.

<i><b>Fiscal Year</b></i>	<i><b>Loss to the General Revenue Fund</b></i>
2006	\$13,098
2007	\$13,098
2008	\$13,098
2009	\$13,098
2010	\$13,098

