



Provide Liability Protection

Texas currently allows providers to disclose to law enforcement if they believe their patient is a risk to themselves or others. However, Texas law also mandates confidentiality of mental health records. Those two statutes send conflicting messages, making providers less likely to report potentially dangerous patients. Last session, HB 461 would have resolved this issue by protecting providers from liability if they report in good faith. The bill received unanimous votes on its way through the Legislature, but it died at the end of session due to deadlines. We hope that the Legislature will act on this public safety measure this session.

Support Exemption from Sex Offender Treatment Licensure

When Texas created a license for persons who treat sex offenders, psychologists were not exempted from the duplicative requirements. In order to be licensed, a person needs 1000 supervised hours, 40 hours of continuing education, and a \$375 application fee. Due to these barriers, many psychologists who had been treating this population chose not to seek the additional license. Currently, there are only about 500 licensed sex offender treatment providers in the state, leaving many potentially dangerous persons without treatment. Last session, HB 4515 would have exempted psychologists from the licensure requirements so that properly trained psychologists would not face barriers to providing the treatment that these individuals need. We urge passage of this exemption during the 87th Regular Session.

Improve Guardianship

Currently, in order for a court to create a guardianship, modify a guardianship, or approve an order restoring capacity for an incapacitated person, the court must have a written letter or certificate signed by a physician. Many times, psychologists will perform an examination, evaluate the person's mental function, but then need a physician to sign the letter. This unnecessarily delays guardianship actions and adds costs for the family. The Legislature should consider removing this barrier by allowing courts to accept recommendations signed by psychologists.

Allow Psychologists to Prescribe

Six states, including New Mexico and Louisiana, currently allow psychologists to seek advanced training in order to prescribe. Over half of Texas counties lack a prescribing mental-health provider, and many primary care providers are reluctant to treat mental health conditions. Patients across the state are often required to wait months to see a practitioner that can prescribe the medications they need. Allowing properly trained psychologists to prescribe would increase access to care while lowering wait times and costs for the patient. Last session, HB 1092 would have allowed properly trained psychologists to prescribe mental-health medications after notifying the client's primary care provider. We hope that the Legislature approves this public health and patient access measure this session.

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