Introduction

Welcome to the Texas Psychological Association’s (TPA) quarterly report. The information contained within is intended to provide a brief snapshot of the advocacy efforts conducted by TPA during each three-month period.

Legislative Advocacy

TPA Adopts the 88th Legislative Session Agenda

With the help of TPA’s Legislative Committee, the TPA’s BOT has adopted its agenda for the 88th Legislative Session. After passing the liability protection and telemedicine agenda items last session, there was extra space on the agenda. This session, BOT has prioritized incentives for providers to treat patients in rural and underserved areas by encouraging the legislature to maximize funding for the Mental Health Loan Repayment Program. This program is available to any mental health provider who agrees to practice in underserved areas treat Medicaid patients. However, the program has not been able to take new applicants for a few years because the funding is inadequate.

The next new item on the agenda would protect the home address and phone number of licensees of the Behavioral Health Executive Council (BHEC). As it currently stands, home addresses and phone numbers are subject to the Public Information Act, and the agency must release them upon request. To ensure providers’ safety and privacy, we are asking the legislature expressly exclude home address and phone numbers submitted to BHEC from state public information laws.

In addition to those two new proposals, BOT approved two proposals from last session as well. First, to expand access to care, TPA is again asking the legislature to allow properly trained psychologists to prescribe mental health medications. As Texas faces a severe psychiatrist shortage, granting this authority to properly trained psychologists would ensure Texans have access to the mental health medications that they need.

Second, TPA is again encouraging the legislature to allow psychologists to make recommendations to courts in guardianship matters. Currently, psychologists may perform evaluations for the creation of a guardianship, but a physician must “sign off” on that evaluation for it to be accepted by a court. TPA recommends that, if the proposed guardianship is based on a mental health condition, psychologists be able to perform the evaluation and submit the necessary paperwork unilaterally.

Interim Hearings and Prefiling

On November 9th, prefiling for the 88th Legislative Session will begin. Prefiling is the period before the legislative session where legislators may begin filing bills. While many legislators wait until the start of the legislative session to file their bills, thousands of bills get filed in the prefiling period. TPA will be monitoring those bills and reporting back to membership as bills of interest are filed.

Many of these bills will come out of recommendations from the interim committees. While the legislature may not be in session, the legislative committees still hold hearings and often release reports, which include recommendations for the upcoming session. TPA has been monitoring many of the committees, including the new House Select Committee on Healthcare
Reform. The reports have not been released yet, but we expect that there will be recommendations on mental health generally and specifically efforts to increase the mental health workforce.

**Regulatory Advocacy**

**Texas State Board of Examiners of Psychologists**

**New Rule Proposals**

There have been several new proposals from the TSBEP, all of which have been published in the Texas Register. The most important changes will be to continuing education. Should these proposals be adopted, licensees will be able to carry forward up to ten hours from the previous cycle if they were not used, take the jurisprudence examination for one hour of ethics credit, and claim up to one hour of self-study continuing education credit. Additionally, a licensee will be allowed to claim up to 20 hours of professional development credit for providing supervision to supervisees delivering psychological services to individuals residing in Health Professional Shortage Areas.

There would also be some changes to supervised experience. First, the proposals would add the Psychological Clinical Science Accreditation System to the list of accredited programs where an applicant can count supervised experience obtained in excess of the 1,750 required as part of the applicant's internship. The proposal would also do away with any time requirements between when a degree is awarded and when the individual applies for licensure.

Finally, there will be some additional flexibility for out-of-state psychologists who seek temporary licensure to practice in Texas. The proposal would repeal the requirement that temporary license holders get preapproval 24 hours before the intend to use their license. Instead, temporary license holders will only be required to report the use of this license after utilizing the full thirty days or the expiration of one year from licensure, whichever occurs first.

TPA will continue to monitor TSBEP and BHEC rulemakings. We will notify membership as new rules are adopted.