



Texas Psychological Association

Legislative Agenda (86th Session)

Keep the Texas State Board of Psychologists Independent

The Texas State Board of Examiners of Psychologists (TSBEP) regulates the practice of licensed psychologists, licensed psychological associates, and licensed specialists in school psychology. This session, the legislature will decide whether to consolidate TSBEP with three boards currently housed at HHSC, which regulate Licensed Marriage and Family Therapists, Licensed Professional Counselors, and Licensed Clinical Social Workers.

TSBEP is the only entity with the expertise to regulate psychology. We would not want lawyers regulated by paralegals, and we would not want physicians regulated by pharmacists—the same is true for psychologists. Psychology is a complex field, therefore it is imperative that a board of psychologists makes the rules of practice, establishes a code of ethics, and decides disciplinary matters.

Protect Providers From Liability for Disclosure – HB 461 (Thompson)

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 to providers, making them less likely to report potentially dangerous patients.

Last session, HB 1616 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 died at the end of session due to deadlines. We hope that the legislature will act on this public safety measure quickly this session.

Exempt Psychologists From Sex Offender Treatment Licensure

When Texas created a license for persons who treat sex offenders, psychologists were not exempted from the duplicative requirements. Many psychologists who had been treating this population chose not to seek the additional license. This license is an unnecessary barrier to psychologists who are already bound by ethical codes and Board rules that require us to practice within areas of demonstrated competency. The legislature should exempt psychologists from the licensure requirements so that properly trained psychologists will not face barriers to providing the high-quality treatment that these individuals need.

Allow Psychologists to Prescribe

The military, tribal lands, and 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. 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 medications to alleviate symptoms of mental health conditions would increase access to care and lower wait times and costs for the consumer. Psychologists would also be required to notify the client's primary care provider.

