



**LICENSED CHEMICAL DEPENDENCY COUNSELOR PROGRAM
PROFESSIONAL LICENSING & CERTIFICATION UNIT
TEXAS DEPARTMENT OF STATE HEALTH SERVICES**

House Bill 3145 Signed by the Governor

House Bill (HB) 3145, relating to the licensing and regulation of chemical dependency counselors in Texas, was enacted by the 82nd Texas Legislature and signed by Governor Rick Perry on June 17, 2011. The bill amends Texas Occupations Code, Chapter 504, which is the law that regulates the practice of chemical dependency counseling in Texas.

Three components of HB 3145 are being implemented immediately. First, the bill eliminates the requirement that a license applicant must pass an oral exam. We are in the process of identifying those counselor interns that may be immediately eligible to become licensed chemical dependency counselors (LCDC) as a result of this change. Those interns will have already passed the written exam, completed the 4000-hour supervised work experience requirement, and obtained an associate's or higher degree, and proof of meeting these requirements is on file with our office. They will receive a letter notifying them that they have met the requirements to become an LCDC, pending payment of the initial licensure fee.

Second, the bill reduces the time frame from five years to three years during which DSHS may not issue a license, registration, or certification to a person convicted or placed on community supervision for certain class B misdemeanor offenses. These offenses include alcohol and drug offenses, and offenses resulting in actual or potential physical harm to others or animals (please see the licensure rule at 25 Texas Administrative Code, §140.430(d)(5)). This does not change the timeframes related to class A misdemeanor and felony offenses that are currently described in the licensure rules.

Third, the bill authorizes DSHS to issue a registration or certification to a person convicted or placed on community supervision for certain offenses if the person successfully completed participation in an approved peer assistance program. This is limited to alcohol and drug offenses. Individuals who are interested in this may contact the approved peer assistance program, TAPNET, via their website at <http://www.tapnettx.org/>.

In addition, as of December 1, 2011, a surcharge of \$10 will be added to the initial license fee and the renewal fee. This surcharge will be used to fund an approved peer assistance program for LCDC's and counselor interns. A peer assistance program will be approved via a request for proposal process, where the program will enter into a contract with DSHS to provide services. More information about this process will be coming in the near future.

In the next few months, DSHS will be initiating the process of gathering stakeholder input for revisions to the licensure rules, in order to formally reflect the components of HB 3145, as well as to conduct a full review of the licensure rules. You may download a copy of the current licensure rules from the program website at <http://www.dshs.state.tx.us/lcdc> and clicking on "Rules/Regulations" in the box to the right.

Comments and recommendations may be submitted at this time to the LCDC Program, Texas Department of State Health Services, Mail Code 1982, P.O. Box 149347, Austin, Texas 78714-9347, or by email to lcdc@dshs.state.tx.us. Please indicate "Comments on Possible Rule Changes" in the e-mail subject line.

Please bear in mind that this is currently an informal process. There will be future opportunities to make more informal comments, as well as formal comments once proposed rules are published in the Texas Register. Please check the program website for updates to this process.

For more information and updates to this process, please visit the program website. You may also contact us via e-mail, or by phone at (512) 834-6605.