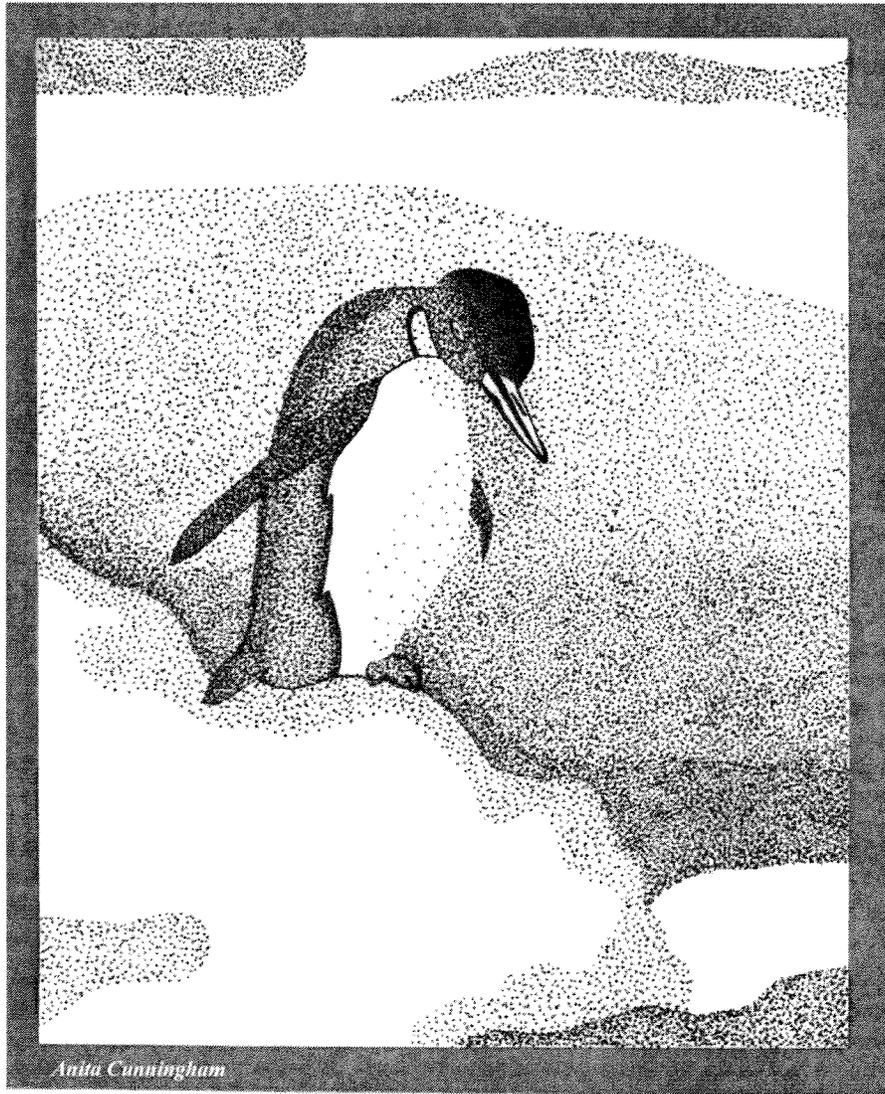

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ring the applicant from the examination. Furthermore, admittance to the examination is not intended and shall not be construed to imply or constitute a finding of the Board regarding the applicant's fitness to sit for the examination nor as an approval of an application for license after the examination, regardless of the applicant's performance on the exam.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on March 7, 2013.
TRD-201301027
Janie Alonzo
Staff Services Officer V
Texas State Board of Podiatric Medical Examiners
Effective date: March 27, 2013
Proposal publication date: November 9, 2012
For further information, please call: (512) 305-7000

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CHAPTER 378. CONTINUING EDUCATION AND LICENSE RENEWAL

22 TAC §378.13

The Texas State Board of Podiatric Medical Examiners adopts the amendments to §378.13, concerning License Renewal, without changes to the proposed text as published in the November 9, 2012, issue of the *Texas Register* (37 TexReg 8921). The text of the rule will not be republished.

The amendments to §378.13 are adopted to clarify the distinction between a "New" license status and an "Active" license status, thereby illustrating what constitutes the practice of podiatry without a license by not activating a new license.

No comments were received in response to the proposed amendments.

The amendments are adopted under Texas Occupations Code, §202.151, which provides the Texas State Board of Podiatric Medical Examiners with the authority to adopt reasonable or necessary rules and bylaws consistent with the law regulating the practice of podiatry, the laws of this state, and the law of the United States; and to govern its proceedings and activities, the regulation of the practice of podiatry and the enforcement of the law regulating the practice of podiatry.

The adopted amendments for §378.13 implement Texas Occupations Code Chapter 202, Subchapter F and G; and Texas Occupations Code §202.605.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

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Janie Alonzo
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For further information, please call: (512) 305-7000

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PART 34. TEXAS STATE BOARD OF SOCIAL WORKER EXAMINERS

CHAPTER 781. SOCIAL WORKER LICENSURE

The Texas State Board of Social Worker Examiners (board) adopts amendments to §§781.102, 781.201, 781.203, 781.204, 781.209, 781.210, 781.304, 781.312, 781.316, 781.401, 781.404, 781.411, 781.412, 781.502, 781.505, 781.506, 781.508, 781.511, 781.514, and 781.603 and new 781.419, concerning the licensure and regulation of social workers. The amendments to §§781.412, 781.506, and 781.508 and new §781.419 are adopted with changes to the proposed text as published in the October 5, 2012, issue of the *Texas Register* (37 TexReg 7848). The amendments to §§781.102, 781.201, 781.203, 781.204, 781.209, 781.210, 781.304, 781.312, 781.316, 781.401, 781.404, 781.411, 781.502, 781.505, 781.511, 781.514, and 781.603 are adopted without changes and, therefore, the sections will not be republished.

BACKGROUND AND PURPOSE

New §781.419 results from statutory changes made during the 82nd Legislative Session (2011, Regular Session), by the passage of Senate Bill (SB) 1733, codified in the Texas Occupations Code, Chapter 55, requiring the board, by rule, to set alternative licensure requirement procedures for military spouses. Specific amended sections in this proposal update licensure requirements and standards of practice in the regulation of social workers and revisions are outlined in the section-by-section summary of this preamble.

SECTION-BY-SECTION SUMMARY

This summary considers only those sections which were substantially changed in language, meaning, or intent. A number of non-substantive modifications were made in the chapter in order to meet the objectives of improving draftsmanship and ensuring clarity.

The amendment to §781.102 recognizes and defines Independent Non-clinical Practice and Independent Practice Recognition as "unsupervised practice."

The amendment to §781.201 adds to the Code of Conduct a new population group for whom social workers shall not refuse to perform any act or service for which the social worker is licensed under this chapter as well as improves draftsmanship and ensures clarity.

The amendment to §781.203 specifies the requirements a social worker must ensure are met prior to providing services to a minor client named in a Suit Affecting Parent Child Relationships (SAPCR).

Amended §781.204 prohibits a social worker from accepting remuneration to or from any person or entity for securing or soliciting social work clients or patronage for or from any health care professional and also provides warnings that such actions will subject the violator to disciplinary action. In addition, the amendment to §781.204 recognizes certain exceptions to maintaining records. The amendment also improves draftsmanship and ensures clarity.

The amendment to §781.209 recognizes certain exceptions to maintaining client records enumerated in §781.204.

The amendment to §781.210 prohibits a social worker from accepting remuneration to or from any person or entity for securing or soliciting social work clients or patronage for or from any health care professional in billing and financial relationships.

The amendment to §781.304 limits the circumstances that allow board or staff members to provide guidance to social workers.

The amendment to §781.312 adds gender identity and expression to the list of personal characteristics the board must disregard in making its decisions. The amendment also improves draftsmanship and ensures clarity.

Amended §781.316 reflects the current board licensure fees. The amendment also improves draftsmanship and ensures clarity.

The amendment to §781.401 specifies the current acronym for "Licensed Social Worker-Advanced Practitioner" and extends the maximum timeframe for supervision and supervised experience. The amendment also improves draftsmanship and ensures clarity.

The amendment to §781.404 modifies the board's recognition of board-approved supervisors and the supervision process; limits the number of supervised hours which may be counted toward licensure or specialty recognition; and specifies the process for approval of applicable supervision plans.

The amendment to §781.411 limits an applicant's temporary license by the board to one per lifetime, per licensing category.

The amendment to §781.412 clarifies board policy regarding the number of times an unsuccessful applicant may take the licensing examination before he or she must formally request and receive permission from the board to retake the examination, as well as the circumstances under which an unsuccessful applicant may retake the exam if he or she has failed the exam the maximum allowable attempt times.

The amendment to §781.502 specifies the dates for licensure renewal.

Amended §781.505 specifies requirements related to converting active licensure to inactive status, payment of appropriate, related fees and consequences for failure to follow these requirements. Additionally, the amendments limit the time period for inactive status and set forth the process a licensee on inactive status must follow in order to reactivate the license.

The amendment to §781.506 sets forth limitations on a licensee's emeritus status as well as the process a licensee on emeritus status must follow in order to reactivate the license, obtain board-approved supervisor status and consequences for an emeritus licensee who fails to reactivate his or her license within 48 months of conversion. Additionally, this amended section limits the ability of an eligible licensee to convert from emeritus status to active status to once per lifetime.

The amendment to §781.508 specifies that a licensee must complete the required hours of continuing education, even for the first renewal of the license.

The amendment to §781.511 specifies that individuals or entities who receive automatic approval as continuing education providers under this chapter will not receive board documentation of the automatic approval and will not be included in the board's rosters of supervisors. Additionally, the amendment

states additional mandatory information a continuing education provider must include on the certificate of attendance issued to each program participant upon program conclusion.

The amendment to §781.514 deletes the limitation on the number of continuing education hours which may be earned in one renewal cycle in a board-approved independent study.

The amendment to §781.603 authorizes the board executive director to request client records from a licensee in complaint procedures and to close certain complaints as non-jurisdictional before presenting them to the Ethics Committee at that Committee's next scheduled meeting. In addition, the amendment allows the board's Ethics Committee to resolve certain pending complaints without a formal disciplinary action or formal hearing.

COMMENTS

The board has reviewed and prepared responses to the comments received regarding the proposed rules during the comment period. The commenters were individuals, associations, organizations, and entities, including the National Association of Social Workers/Texas Chapter, the Texas Society for Clinical Social Work, and the Texas Council on Family Violence. Some commenters supported the proposed rules. Other commenters were not against the rules in its entirety; however, they suggested recommendations for change as discussed in the summary of comments.

Comment: One commenter agreed with the proposed rules in their entirety.

Response: The board appreciates the support. No changes to the proposed rules were made as a result of this comment.

Comment: Concerning §781.201, two commenters support the proposed language.

Response: The board agrees that adoption of the proposed language is required. No changes to the proposed language were made as a result of the comments.

Comment: Concerning §781.203, one commenter supports the proposed language.

Response: The board agrees that adoption of the proposed language is required. No change to the proposed language was made as a result of the comment.

Comment: Concerning §781.204, the board received two comments. One commenter supports the proposed language; one commenter believes the proposed language regarding remuneration creates contradictory statements and opposes the proposed language which creates an exemption from record keeping under certain circumstances.

Response: The board determined that the proposed language is required and is not contradictory. The exemption to record keeping is necessary because there are some circumstances under which there may be a conflict between the board's record keeping requirements for all licensees and the record keeping requirements for social work practice in certain educational institutions or federal, state, or local government entities or political subdivisions. If such a conflict exists, a licensee is not in violation of the board's rules if he or she is acting within the standards, requirements, and procedures of those settings. No changes to the proposed language were made as a result of the comments.

Comment: Concerning §781.209, the board received three comments. One commenter supports the proposed language; two

commenters oppose the proposed language regarding creating an exemption from record keeping requirement under certain circumstances.

Response: The board determined that the proposed amendment is required because there are some circumstances under which there may be a conflict between the board's record keeping requirements for all licensees and the record keeping requirements for social work practice in certain educational institutions or federal, state, or local government entities or political subdivisions. If such a conflict exists, a licensee is not in violation of the board's rules if he or she is acting within the standards, requirements, and procedures of those settings. Those settings in which there may be an exemption are required to have record keeping requirements which are appropriate to the setting. No changes to the proposed language were made as a result of the comments.

Comment: Concerning §781.210, one commenter believes the proposed language regarding remuneration creates contradictory statements.

Response: The board determined that the proposed amendment is required because the board believes the exemptions, as outlined and previously adopted in rule, related to payment of credentialing or other fees in order for the licensee to be a part of an approved provider list continues to be required, and is not contradictory. No change to the proposed language was made as a result of the comment.

Comment: Concerning §781.304, one commenter supports the proposed language.

Response: The board agrees that adoption of the proposed language is required. No change to the proposed language was made as a result of the comment.

Comment: Concerning §781.312, two commenters support the proposed language.

Response: The board agrees that adoption of the proposed language is required. No changes to the proposed language were made as a result of the comments.

Comment: Concerning §781.401, one commenter supports the proposed language.

Response: The board agrees that adoption of the proposed language is required. No change to the proposed language was made as a result of the comment.

Comment: Concerning §781.404, two commenters disagreed with the proposed change that disallows an Emeritus licensee to serve as a board-approved supervisor in §781.404(b)(1). One commenter, however, supported the proposed language regarding the supervision process and supervision plans in §781.404(b)(12), in which the board reinstated a maximum number of 10 hours of board-approved supervision which may be accrued towards licensure and specialty recognition. The board added clarifying language related to minimum requirements for supervised experience and supervision, and the board created an extended time period (changing the maximum time period of 48 months to 60 months) in which an individual may complete minimum requirements for supervised experience towards Independent Practice Recognition.

Response: The board disagrees. An Emeritus licensee may not serve as a board-approved supervisor because an individual who serves as a board-approved supervisor must maintain an ongoing knowledge of and competency in social work practice and supervision in order to competently perform board-ap-

proved supervision. Active full licensure contains the appropriate safeguards to ensure continuing competency and does not present an undo financial or other burden if the licensee chooses to provide these services. The board agrees that adoption of the proposed language regarding the supervision process and supervision plans in §781.404(b)(12) is required. No changes to the proposed language were made as a result of the comments.

Comment: Concerning §781.412, one commenter supports the proposed language regarding the examination process related to the number of times an unsuccessful applicant may take the licensing examination. However, this commenter also suggested adding language which would require each subsequent attempt to take the licensing examination be approved by the appropriate committee of the board.

Response: The board agrees that adoption of the proposed language is required and disagrees that the recommended, additional language is required because failure to demonstrate minimum professional knowledge for licensure as indicated in passage of the examination on multiple attempts requires acquisition of additional professional knowledge, not just additional examination attempts or engagement in review courses. This provides a mechanism for the board to help the applicant be successful with the examination. No change to the proposed language was made as a result of the comment.

Comment: Concerning §781.419, one commenter suggested that the board clarify the proposed new language regarding the requirement that a new application and fee for licensure be submitted prior to the granting of a social work license.

Response: The board agrees and adds the following language to §781.419(c): "Board approval of a new application, including submission of all required fees and attachments, is required prior to issuance of a license."

Comment: Concerning §781.502, one commenter supports the proposed language.

Response: The board agrees that adoption of the proposed language is required. No change to the proposed language was made as a result of the comment.

Comment: Concerning §781.505, one commenter opposes the requirement that verification of completion of minimum requirements for continuing education be provided if conversion to inactive status is requested within 45 days of the license expiration date; the commenter also opposes lifetime time limits for conversion to inactive status.

Response: The board disagrees that the proposed language is not required since a licensee may avoid verification of completion of minimum requirements for continuing education through the previous two years by changing to inactive status in close proximity to the renewal date. The public is not protected by having this loophole exist. No changes to the proposed language were made as a result of these comments.

Comment: Concerning §781.506, two commenters disagreed with the proposed change to allow an Emeritus licensee to serve as a board-approved supervisor only under certain conditions. One of the two commenters also suggested modification of proposed language for clarification and to eliminate redundancy.

Response: The board disagrees in part. Emeritus licensees may only serve as board-approved supervisors under certain conditions because of the interest of public protection related to the provision of these services requiring demonstration of continu-

ing competency in social work practice and in supervision. The board, however, agrees that changes are necessary to improve draftsmanship and ensure clarity and deleted the sentence "Verification of completion of the Jurisprudence Exam is required" to avoid redundancy in §781.506(c). The board also deleted the word "ever" and inserted the phrase "except as follows" for clarity in §781.506(e). Also, a minor editorial revision replaced the word "reactive" with the word "reactivate" in subsection (e).

Comment: Concerning §781.508, one commenter opposes the proposed, clarifying language regarding minimum requirements for continuing education the first time a license is renewed, and one commenter supports the proposal as written.

Response: The board determined that the proposed amendment is required; but that the phrase "even for" should be deleted and replaced with the word "including" for clarity in §781.508(a).

Comments: Concerning §781.511, one commenter opposes the proposed, clarifying language regarding the board not including all automatically-approved providers' information on the board's website or providing documentation of board-approved status for each.

Response: The board disagrees on the basis that it is impossible for the board to include the information for the substantial number of unknown, automatically-approved providers on its website and it is impractical to provide documentation for each. No change to the proposed language was made as a result of the comment.

A minor grammatical change was made to §781.412(b) to replace the word "not" with the word "no."

SUBCHAPTER A. GENERAL PROVISIONS

22 TAC §781.102

STATUTORY AUTHORITY

The amendment is adopted under Texas Occupations Code, §505.201, which authorizes the board to adopt rules necessary for the performance of its duties.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on March 8, 2013.

TRD-201301032

Timothy M. Brown, LCSW

Chair

Texas State Board of Social Worker Examiners

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For further information, please call: (512) 776-6972



SUBCHAPTER B. CODE OF CONDUCT AND PROFESSIONAL STANDARDS OF PRACTICE

22 TAC §§781.201, 781.203, 781.204, 781.209, 781.210

STATUTORY AUTHORITY

The amendments are adopted under Texas Occupations Code, §505.201, which authorizes the board to adopt rules necessary for the performance of its duties.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

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For further information, please call: (512) 776-6972



SUBCHAPTER C. THE BOARD

22 TAC §§781.304, 781.312, 781.316

STATUTORY AUTHORITY

The amendments are adopted under Texas Occupations Code, §505.201, which authorizes the board to adopt rules necessary for the performance of its duties.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

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SUBCHAPTER D. LICENSES AND LICENSING PROCESS

22 TAC §§781.401, 781.404, 781.411, 781.412, 781.419

STATUTORY AUTHORITY

The amendments and new rule are adopted under Texas Occupations Code, §505.201, which authorizes the board to adopt rules necessary for the performance of its duties; and Texas Occupations Code, §55.004, which authorizes the board to adopt rules necessary concerning licensing of military spouses.

§781.412. *Examination Requirement.*

(a) An applicant for licensure or specialty recognition must pass an examination designated by the board.

(b) When an applicant passes the examination, the individual has no more than one year from the date of passing the examination to complete the requirements for licensure, completing all documentation and paying all fees or the passing examination score will no longer count towards licensure.

(c) If an applicant fails the examination on the first attempt of his/her lifetime, the individual may retake the examination no more than two additional times. An applicant who has failed the examination on the first, second, and third attempts must request in writing to the

board to retake the examination a fourth time. The board may order the applicant to complete one or more social work educational courses as a prerequisite to retaking the examination.

(d) An applicant who fails the examination must wait the required timeframe between examination administrations. The board or executive director may waive the waiting period if the applicant petitions in writing, justifying the waiver in accordance with board policy.

(e) If an applicant fails the examination on the fourth attempt, the person's application will be voided. The applicant will not be permitted to reapply for licensure for one year. Each subsequent attempt must be approved by the appropriate committee of the board.

(f) The board may waive the examination for an applicant with a valid certificate or license from another state if the certificate or license was issued before January 1, 1986, if petitioned in writing.

(g) On the basis of a verified report from ASWB that an applicant has cheated on the examination, the application shall be denied.

§781.419. Military Spouse.

(a) This section sets out the alternative license procedure for military spouse required under Texas Occupations Code, Chapter 55 (relating to License While on Military Duty and for Military Spouse).

(b) The spouse of a person serving on active duty as a member of the armed forces of the United States who holds a current license issued by another state that has substantially equivalent licensing requirements shall complete and submit an application form and fee. In accordance with Texas Occupations Code, §55.004(c), the executive director may waive any prerequisite to obtaining a license after reviewing the applicant's credentials and determining that the applicant holds a license issued by another jurisdiction that has licensing requirements substantially equivalent to those of this state.

(c) The spouse of a person serving on active duty as a member of the armed forces of the United States who within the five years preceding the application date held the license in this state that expired while the applicant lived in another state for at least six months is qualified for licensure based on the previously held license, if there are no unresolved complaints against the applicant and if there is no other bar to licensure, such as criminal background or non-compliance with a board order. Board approval of a new application, including submission of all required fees and attachments, is required prior to issuance of a license.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

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Timothy M. Brown, LCSW

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For further information, please call: (512) 776-6972



SUBCHAPTER E. LICENSE RENEWAL AND CONTINUING EDUCATION

22 TAC §§781.502, 781.505, 781.506, 781.508, 781.511, 781.514

STATUTORY AUTHORITY

The amendments are adopted under Texas Occupations Code, §505.201, which authorizes the board to adopt rules necessary for the performance of its duties.

§781.506. Emeritus Status.

(a) A licensee who is at least 60 years of age or disabled, and who is not engaged in professional social work practice, may request emeritus status in writing to the board. An emeritus license must be renewed every two years but requires no renewal fee or continuing education.

(b) The emeritus licensee may only use his or her emeritus title while providing social work services as a volunteer without compensation. The emeritus licensee who volunteers social worker services is under the board's jurisdiction and must comply with the Code of Conduct and Professional Standards of Practice, as well as the Act and the rule requirements in this chapter.

(c) An emeritus licensee whose license is in good standing can be reinstated to an active license within 48 months of conversion to emeritus status. To be eligible for an active license through reinstatement of an emeritus license, the emeritus licensee shall submit an application for licensure at the appropriate category, as well as proof of completion of the Jurisprudence Exam within six months prior to requesting reactivation, and payment of the licensing fee. Verification of education, supervision, and examination score is not required.

(d) An emeritus licensee who reactivates his/her license within 48 months of conversion to emeritus status may not regain board-approved supervisor status upon activation without verification of completion of minimum requirements as a board-approved supervisor in place at the time of reactivation. An emeritus licensee who reactivates his/her license within 48 months may regain other specialty recognition(s) without demonstration of meeting current minimum requirements for that specialty recognition.

(e) An emeritus licensee who does not reactivate his/her license within 48 months of conversion to emeritus status may not convert the license to active status except as follows. An emeritus licensee who did not reactivate his/her license within 48 months of conversion must reapply for active licensure and meet all current minimum requirements for licensure, specialty recognition, and board-approved supervisor status in place at the time of application. If all current minimum requirements for licensure are met, upon issuance of a new license and license number, the emeritus license will be null and void.

(f) A licensee who converts to emeritus status may only reactivate the license to active status once per lifetime.

§781.508. Hour Requirements for Continuing Education.

(a) A licensee must complete a total of 30 clock-hours biennially of continuing education obtained from board-approved continuing education providers. A licensee must complete a total of 30 clock-hours of continuing education obtained from a board-approved continuing education provider including the first renewal of the licensure following issuance of the license, which is valid for a period of 13 to 24 months, depending on the licensee's birth month.

(b) As part of the required 30 biennial clock-hours, a licensee must complete a minimum of six clock-hours of continuing education in professional ethics and social work values.

(c) A clock-hour is defined as 60 minutes of standard time.

(d) A licensee may earn credit for ethics as a presenter or a participant.

(e) Upon a licensee's petition, the executive director may waive part, but not all, of the continuing education renewal requirements for good and just cause or may permit the licensee additional time to complete all continuing education requirements. If the director decides not to waive requirements, a licensee may appeal to the board, which may elect to waive the late fees accrued. Should the board not uphold the licensee's petition, all late fees accrued will apply.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

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TRD-201301036

Timothy M. Brown, LCSW

Chair

Texas State Board of Social Worker Examiners

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For further information, please call: (512) 776-6972



SUBCHAPTER F. COMPLAINTS AND VIOLATIONS

22 TAC §781.603

STATUTORY AUTHORITY

The amendment is adopted under Texas Occupations Code, §505.201, which authorizes the board to adopt rules necessary for the performance of its duties.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

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Chair

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PART 35. TEXAS STATE BOARD OF EXAMINERS OF MARRIAGE AND FAMILY THERAPISTS

CHAPTER 801. LICENSURE AND REGULATION OF MARRIAGE AND FAMILY THERAPISTS

The Texas State Board of Examiners of Marriage and Family Therapists (board) adopts amendments to §§801.1, 801.2, 801.11 - 801.19, 801.41 - 801.56, 801.71 - 801.73, 801.91 - 801.93, 801.111 - 801.115, 801.141 - 801.143, 801.171 - 801.174, 801.201 - 801.203, 801.231 - 801.237, 801.261 - 801.268, 801.291 - 801.303, 801.331, 801.332, 801.351, and

801.361 - 801.364 and new §801.204, concerning the licensing and regulation of marriage and family therapists. Sections 801.11, 801.41, 801.42, 801.44, 801.142, 801.203, and 801.297 are being adopted with changes to the proposed text as published in the September 28, 2012, issue of the *Texas Register* (37 TexReg 7660). Amendments 801.1, 801.2, 801.12 - 801.19, 801.43, 801.45 - 801.56, 801.71 - 801.73, 801.91 - 801.93, 801.111 - 801.115, 801.141, 801.143, 801.171 - 801.174, 801.201, 801.202, 801.231 - 801.237, 801.261 - 801.268, 801.291 - 801.296, 801.298 - 801.303, 801.331, 801.332, 801.351, and 801.361 - 801.364 and new §801.204 are adopted without changes and, therefore, will not be republished.

BACKGROUND AND PURPOSE

Texas Government Code, §2001.039, requires that each state agency review and consider for readoption each rule adopted by that agency pursuant to the Texas Government Code, Chapter 2001 (Administrative Procedure Act). Sections 801.1, 801.2, 801.11 - 801.19, 801.41 - 801.56, 801.71 - 801.73, 801.91 - 801.93, 801.111 - 801.115, 801.141 - 801.143, 801.171 - 801.174, 801.201 - 801.203, 801.231 - 801.237, 801.261 - 801.268, 801.291 - 801.303, 801.331, 801.332, 801.351, and 801.361 - 801.364 have been reviewed, and the board has determined that the reasons for adopting the sections continue to exist in that rules concerning the licensing and regulation of marriage and family therapists are still needed; however, changes are needed as described in this preamble, and are the result of the comprehensive rule review undertaken by the board and the board's staff.

In general, each section was reviewed and readopted in order to ensure appropriate subchapter, section, and paragraph organization; to ensure clarity; to improve spelling, grammar, and punctuation; to ensure that the rules reflect current legal and policy considerations; to ensure accuracy of legal citations; to eliminate unnecessary catch-titles; to delete repetitive, obsolete, unenforceable, or unnecessary language; to improve draftsmanship; and to make the rules more accessible, understandable, and usable.

The new section establishes procedures for issuance of licenses to military spouses, as required by Senate Bill 1733, 82nd Legislature, 2011, amending Texas Occupations Code, Chapter 55, relating to the licensing process for military spouses.

SECTION-BY-SECTION SUMMARY

The following section-by-section summary considers only those sections which were substantially changed in language, meaning, or intent. A number of modifications were adopted for the chapter in order to meet the objectives of the rule review as described previously, such as improving draftsmanship and ensuring clarity.

Nonsubstantive changes were adopted to various sections of the chapter, including §§801.1, 801.14, 801.15, 801.17, 801.19, 801.42, 801.43, 801.46 - 801.48, 801.51, 801.53, 801.54, 801.72, 801.91, 801.111 - 801.115, 801.141, 801.143, 801.171, 801.172, 801.201, 801.203, 801.231, 801.233, 801.235 - 801.237, 801.263, 801.266, 801.267, 801.292 - 801.296, 801.298 - 801.302, 801.331, 801.332, 801.351, and 801.361 - 801.364.

The following changes are adopted concerning Subchapter A (relating to the Introduction).

Adopted changes to §801.2 demonstrate the board no longer recognizes educational institutions registered by the California