

TEXAS STATE BOARD OF EXAMINERS OF PROFESSIONAL COUNSELORS

AGENDA

Rules Committee Meeting @ 1:00pm Thursday, April 8, 2021

Members of the public will have access and a means to participate in this meeting, by two-way communication, by entering the URL address <https://us02web.zoom.us/j/85454552962> or by calling 346-248-7799 and entering webinar ID **854 5455 2962**. An electronic copy of the agenda will be made available at www.bhec.texas.gov prior to the meeting.

Rules Committee Members:

(Steven Hallbauer-Chair, Garrett Nerren, Janie Stubblefield, Dr. Christopher Taylor)

1. Call to Order.
2. Introduction of members and staff.
3. Discussion and possible action on LPC-Associate language, related to the ability to bill for services and to own a private practice.
4. Items for consideration for future committee meeting agendas.
5. Adjournment.

If you are planning to attend this meeting and need auxiliary aids, services, or materials in an alternate format, please contact the Council at least 5 working days before the meeting date. Phone: (512) 305-7700, EMAIL: General@bhec.texas.gov, TTY/RELAY TEXAS: 711 or 1-800-RELAY TX.

681.91. LPC Associate License.

- (a) The Council may issue an LPC Associate license to an applicant who has:
- (1) filed all application forms and paid all applicable fees;
 - (2) met all of the academic requirements for licensure;
 - (3) completed the required examinations with the requisite score as described in §681.72(a)(3) and (a)(4) of this title (relating to Required Application Materials);
 - (4) entered into a supervisory agreement with a Licensed Professional Counselor Supervisor (LPC-S); and
 - (5) not completed the supervised experience described in §681.92 of this title (relating to Experience Requirements (Internship)).
- (b) An LPC Associate must comply with all provisions of the Act and Council rules.
- (c) To practice counseling in Texas, a person must obtain an LPC Associate license before the person begins an internship or continues an internship. Hours obtained by an unlicensed person in any setting will not count toward the supervised experience requirements.
- (d) An LPC Associate may practice counseling only as part of his or her internship and only under the supervision of a Licensed Professional Counselor Supervisor (LPC-S). ~~The LPC Associate may not own an independent professional counseling practice.~~
- OR**
- (d) An LPC Associate may practice counseling only as part of his or her internship and only under the supervision of a Licensed Professional Counselor Supervisor (LPC-S). The LPC Associate may not engage in independent practice ~~own an independent professional counseling practice.~~
- (e) An LPC Associate may have no more than two (2) Council approved LPC supervisors at any given time.
- (f) An LPC Associate must maintain their LPC Associate license during his or her supervised experience.
- (g) An LPC Associate license will expire 60 months from the date of issuance.
- (h) An LPC Associate who does not complete the required supervised experience hours during the 60-month time period must reapply for licensure.

(i) An LPC Associate must continue to be supervised after completion of the 3,000 hours of supervised experience and until the LPC Associate receives his or her LPC license. Supervision is complete upon the LPC Associate receiving the LPC license.

(j) The possession, access, retention, control, maintenance, and destruction of client records is the responsibility of the person or entity that employs or contracts with the LPC Associate, or in those cases where the LPC Associate is self-employed, the responsibility of the LPC-Associate. ~~An LPC Associate does not own client records; they are the property of the agency, organization, or LPC-S.~~

(k) An LPC Associate must not employ a supervisor but may compensate the supervisor for time spent in supervision if the supervision is not a part of the supervisor's responsibilities as a paid employee of an agency, institution, clinic, or other business entity.

~~(l) An LPC Associate must not accept direct payment for services from a client.~~

(m) All billing documents for services provided by an LPC Associate must reflect the LPC Associate holds an LPC Associate license and is under supervision.

(n) The LPC Associate must not represent himself or herself as an independent practitioner. The LPC Associate's name must be followed by the name of the supervisor on all advertisements, billings, and announcements, including but not limited to websites and intake documents.

681.2. Definitions.

(13) independent practice – the practice of providing professional counseling services to a client without the supervision of an LPC-S.

Commented [DS1]: This would only be necessary if we went with the 2nd option above, correct?

681.93. Supervisor Requirements.

(b) Both the LPC-Associate and the supervising LPC-S are fully responsible for the professional counseling activities of the LPC-Associate. ~~The full professional responsibility for the counseling activities of the LPC Associate rests with the LPC Associate's approved supervisor(s). If the LPC Associate receives disciplinary action by the Council, the supervisor may also be subject to disciplinary action.~~

- (1) Supervisors must review all provisions of the Act and Council rules in this chapter during supervision.
- (2) The supervisor must ensure the LPC Associate is aware of and adheres to all provisions of the Act and Council rules.