

## Proposed Rules 3/2025

### BHEC Proposed 3.20.25

#### 882.50 Continuing Education and Audits

(a) All persons issued a license by the Council are obligated to continue their professional education by completing a minimum amount of continuing education during each renewal period that they hold a license from this agency. The specific continuing education requirements for a license holder will be determined by the member board authorized to set those requirements.

(b) Licensees shall report continuing education in the manner prescribed by the Council, including registering for and using any online system for documenting continuing education adopted by the Council.

(c) [(b)] The Council conducts two types of audits regarding continuing education. Licensees shall comply with all agency requests for documentation and information concerning compliance with continuing education requirements.

(1) Random audits. Each month, 5% of the licensees will be selected by an automated process for an audit of the licensee's compliance with the agency's continuing education requirements. The agency will notify a licensee of the audit. Upon receipt of an audit notification, a licensee must submit continuing education documentation in the manner requested by the Council. ~~[through the agency's online licensing system, or by email, or regular mail before a license will be renewed]~~

(2) Individualized audits. The Council may also conduct audits of a specific licensee's compliance with its continuing education requirements at any time the agency determines there are grounds to believe that a licensee has not complied with the requirements of this rule. Upon receipt of notification of an individualized audit, the licensee must submit all requested documentation within the time period specified in the notification.

#### 884.10 Investigation of Complaints

(a) The following priority rating system shall serve to distinguish between categories of complaints. The priority rating system is as follows:

(1) High Priority - cases involving sexual misconduct or a probability of imminent physical harm to the public or a member of the public; and

(2) Regular Priority - cases involving all other violations of state or federal law.

(b) The Enforcement Division shall investigate all complaints in a timely manner. A schedule shall be established for conducting each phase of a complaint that is under the control of the Council not later than the 30th day after the date the complaint is received. The schedule shall be kept in the information file of the complaint, and all parties shall be notified of the projected time requirements for pursuing the complaint. A change in the schedule must be noted in the complaint information file, and all parties to the complaint must be notified in writing not later than the seventh day after the date the change is made.

(c) The Council may accept, but is not obligated to investigate, a complaint that lacks sufficient information to identify the source or the name of the person who filed the complaint, a complaint that lacks sufficient evidence to identify a specific violation, or a complaint with an uncooperative complainant.

(d) A complainant may explain the allegations made in the complaint by attaching or including with the complaint any evidence the complainant believes is relevant to a determination of the

allegations, including written statements or communications, medical or mental health records, recordings, photographs, or other documentary evidence.

(e) A review will be conducted upon receipt of a complaint to determine if the Council has jurisdiction over the complaint, and if so, whether the complaint states an allegation which, if true, would constitute a violation of the Council's rules or other law within the jurisdiction of the Council.

(f) When a licensee's conduct or statements could lawfully be made under an authority separate from their license issued by the Council, any conduct or statement that falls within the scope of practice of their license will be presumed to be taken or made under the authority of that license, and therefore within the jurisdiction of the Council, unless the licensee can show:

(1) no reasonable person would believe the conduct or statement occurred in the context of a professional relationship, or

(2) the licensee clearly and unequivocally disclaimed acting under the authority of their license prior to the conduct or statement, received written acknowledgement and consent from any clients that no professional services would be provided under the authority of their license, and did not otherwise engage at any time in the scope of practice of their license in relation to the conduct or statement.

(g) [(f)] Complaints that do not state a violation of a law within the jurisdiction of the Council shall be dismissed. If the complaint alleges a violation of a law within the jurisdiction of another agency, the complaint will be referred to that agency as required or allowed by law.

(h) [(g)] Complaints that state a violation of a law within the jurisdiction of the Council shall be investigated by an investigator assigned by the Enforcement Division.

(i) [(h)] Licensees will receive written notice of any alleged complaint(s), including specific information regarding any violation(s) encountered. Notice to a licensee is effective and service is complete when sent by registered or certified mail to the licensee's address of record at the time of the mailing.

(j) [(i)] Following completion of the investigation, an investigation report shall be drafted. This report shall include a recommendation as to whether the investigation has produced sufficient evidence to establish probable cause that a violation has occurred.

(k) [(j)] The Enforcement Division Manager (or the manager's designee) and legal counsel shall review the investigation report to determine if there is probable cause that a violation occurred.

(l) [(k)] A complaint for which the staff determines probable cause exists shall be referred for an informal conference by agency staff or a member board's Disciplinary Review Panel. Agency staff shall send the respondent notice of the date and time of the informal conference.

(m) [(l)] A complaint for which staff or a Disciplinary Review Panel determines that probable cause does not exist shall be referred for dismissal.

(n) [(m)] The services of a private investigator shall be retained only in the event that staff investigator positions are vacant or inadequate to provide essential investigative services. The services of a private investigative agency shall be obtained in accordance with the state's procurement procedures.

(o) [(n)] If a complainant or respondent are represented by an attorney, any notice or service

required by law shall be made upon the attorney at the attorney's last known address.

### **885.1 Executive Council Fees**

(b) The Executive Council adopts the following chart of fees:

(1) Fees effective through August 31, 2023.

Figure: 22 TAC §885.1(b)(1) (No change.)

(2) Fees effective on September 1, 2023.

Attached Graphic

[Figure: 22 TAC §885.1(b)(2)]

### **LMFT Proposed 3.20.25**

#### **801.261 Requirements for Continuing Education**

(a) Minimum Continuing Education Hours Required

(1) An LMFT must complete 30 hours of continuing education during each renewal period that they hold a license. The 30 hours of continuing education must include 6 hours in ethics and 3 hours designed to ensure competency when providing services to a distinct population, defined as a group of people who share a common attribute, trait, or defining characteristic of the licensee's choice ~~[in cultural diversity or competency]~~.

(2) A licensee may carry forward to the next renewal period, a maximum of 10 hours accrued during the current renewal period if those hours are not needed for renewal.

(b) Special Continuing Education Requirements. The special continuing education requirements set out in this subsection may be counted toward the minimum continuing education hours required under subsection (a) of this section.

(1) A licensee with supervisory status must complete 6 hours of continuing education in supervision.

(2) A licensee with supervisory status must take and pass the jurisprudence examination. One hour of continuing education in ethics may be claimed for passing the jurisprudence examination.

(3) A licensee who provides telehealth services must complete 2 hours of continuing education in technology-assisted services.

(c) Acceptable ethics hours include, but are not limited to continuing education on:

(1) state or federal laws, including agency rules, relevant to the practice of marriage and family therapy;

(2) practice guidelines established by local, regional, state, national, or international professional organizations;

(3) training or education designed to demonstrate or affirm the ideals and responsibilities of the profession; and

(4) training or education intended to assist licensees in determining appropriate decision-making and behavior, improve consistency in or enhance the professional delivery of services, and provide a minimum acceptable level of practice.

[(d) Acceptable cultural diversity or competency hours include, but are not limited to continuing education regarding age, disability, ethnicity, gender, gender identity, language, national origin,

race, religion, culture, sexual orientation, and socio-economic status.]

(d) [~~(e)~~] Acceptable Continuing Education Activities.

(1) All continuing education hours must have been received during the renewal period unless allowed under subsection (a)(2)[~~(3)~~] of this section, and be directly related to the practice of marriage and family therapy;

(2) The Council shall make the determination as to whether the activity claimed by the licensee is directly related to the practice of marriage and family therapy;

(3) Except for hours claimed under subsection (g) [~~(h)~~] of this section, all continuing education hours obtained must be designated by the provider in a letter, email, certificate, or transcript that displays the licensee's name, topic covered, date(s) of training, and hours of credit earned.

(4) Multiple instances or occurrences of a continuing education activity may not be claimed for the same renewal period.

(e) [~~(f)~~] Licensees must obtain at least fifty percent of their continuing education hours from one or more of the following providers:

(1) an international, national, regional, state, or local association of medical, mental, or behavioral health professionals;

(2) public school districts, charter schools, or education service centers;

(3) city, county, state, or federal governmental entities;

(4) an institution of higher education accredited by a regional accrediting organization recognized by the Council for Higher Education Accreditation, the Texas Higher Education Coordinating Board, or the United States Department of Education;

(5) religious or charitable organizations devoted to improving the mental or behavioral health of individuals;

(6) A graduate-level licensee with supervisor status;

(7) a hospital or hospital system, including any clinic, division, or department within a hospital or hospital system; or

(8) any provider approved or endorsed by a provider listed herein.

(f) [~~(g)~~] Licensees shall receive credit for continuing education activities according to the number of hours designated by the provider, or if no such designation, on a one-for-one basis with one credit hour for each hour spent in the continuing education activity.

(g) [~~(h)~~] Notwithstanding subsection (e) [~~(f)~~] above, licensees may claim continuing education credit for each of the following activities:

(1) Passage of the jurisprudence examination. Licensees who pass the jurisprudence examination may claim 1 hour of continuing education in ethics.

(2) Preparing and giving a presentation at a continuing education activity. The maximum number of hours that may be claimed for this activity is 5 hours.

(3) Authoring a book or peer reviewed article. The maximum number of hours that may be claimed for this activity is 5 hours.

(4) Teaching or attending a graduate level course. The maximum number of hours that may be claimed for this activity is 5 hours.

(5) Self-study. The maximum number of hours that may be claimed for this activity is 1 hour. Self-study is credit that is obtained from any type of activity that is performed by an individual licensee acting alone. Such activities include, but are not limited to, reading materials directly related to the practice of marriage and family therapy. Time spent individually viewing or listening to audio, video, digital, or print media as part of an

organized continuing education activity, program, or offering from a third-party is not subject to this self-study limitation and may count as acceptable education under other parts of this rule.

(6) Successful completion of a training course on human trafficking prevention described by §116.002 of the Occupations Code. Licensees who complete this training may claim 1 hour of continuing education credit.

(h) ~~[(h)]~~ The Council does not pre-evaluate or pre-approve continuing education providers or hours.

(i) ~~[(i)]~~ Licensees shall maintain proof of continuing education compliance for a minimum of 3 years after the applicable renewal period.

[(k) Subsection (f) of this rule is effective January 1, 2024]

### **LPC Proposed 3.20.25**

#### **681.72 Required Application Materials**

(a) To apply for LPC Associate, the applicant must submit:

- (1) the Council's application form;
- (2) all applicable fees;
- (3) official examination results from the National Board of Certified Counselors verifying a passing score on the National Counselor Exam (NCE) or National Clinical Mental Health Counselor Exam (NCMHCE);
- (4) completion certificate for the Texas jurisprudence exam dated no more than six months before the date the application was received;
- (5) an official graduate transcript(s);
- (6) a practicum/graduate intern documentation form;
- (7) a supervisory agreement form; and
- (8) The holder of a current license in good standing issued by another jurisdiction equivalent to the Texas LPC Associate license must submit official verification of his or her license, including official verification of any supervised experience recognized by the issuing jurisdiction. If supervised experience cannot be verified by the issuing jurisdiction, the Council may consider a supervised experience documentation form with verification of the supervisor's credentials.

(b) To apply for LPC as the holder of a current Texas LPC Associate license, the applicant must submit:

- (1) the Council's application form;
- (2) all applicable fees;
- (3) completion certificate for the jurisprudence exam dated no more than six months before the date the application for LPC was received;
- (4) the Council's supervised experience documentation form; and
- (5) other information or forms as requested by the Council.

(c) To apply for LPC as the holder of a current license equivalent to a Texas LPC license issued by another jurisdiction, the applicant's license must be in good standing and must submit:

- (1) all of the items listed in subsection (a)(1) - (6) ~~[(a)(1) - (5)]~~ of this section;
- (2) official verification of the license, including official verification of any supervised

- experience recognized by the issuing jurisdiction; and
- (3) other information or forms as requested by the Council.
- (d) To apply for supervisor status, an LPC must:
- (1) have held the LPC license in good standing for at least 60 months;
  - (2) submit an application and all applicable fees; and
  - (3) submit a completion certificate for an acceptable supervisor training. An acceptable supervisor training is:
    - (A) a doctoral level course in the supervision of professional counseling or mental health services which was taken for credit at an accredited school and documented on an official transcript; ~~[the qualifying doctoral level course may have been completed no more than five (5) years before the date the application for supervisor status was received]~~; or
    - (B) a 40-clock-hour supervision course as set forth in §681.147 of this title. ~~[(relating to 40-Clock Hour Supervisor Training Course); the qualifying 40-clock-hour supervision course may have been completed no more than two (2) years before the date the application for supervisor status was received]~~
- (e) An applicant who holds a current LPC license in good standing issued by another jurisdiction must be substantially equivalent to Texas licensure requirements.

#### **681.140 Requirements for Continuing Education**

- (a) Minimum Continuing Education Hours Required.
- (1) An LPC must complete 24 hours of continuing education during each renewal period that they hold a license. The 24 hours of continuing education must include 6 hours in ethics and 3 hours designed to ensure competency when providing services to a distinct population, defined as a group of people who share a common attribute, trait, or defining characteristic of the licensee's choice ~~[in cultural diversity or competency]~~.
  - (2) A licensee may carry forward to the next renewal period, a maximum of 10 hours accrued during the current renewal period if those hours are not needed for renewal.
- (b) Special Continuing Education Requirements.
- (1) A licensee with supervisory status must complete 6 hours of continuing education in supervision.
  - (2) A licensee must successfully complete the Texas jurisprudence examination each renewal period. Licensees who pass the Texas jurisprudence examination may claim 1 hour of continuing education in ethics.
  - (3) The special continuing education requirements set out in this subsection may be counted toward the minimum continuing education hours required under subsection (a) of this section.
- (c) Acceptable ethics hours include, but are not limited to continuing education on:
- (1) state or federal laws, including agency rules, relevant to the practice of professional counseling;
  - (2) practice guidelines established by local, regional, state, national, or international professional organizations;
  - (3) training or education designed to demonstrate or affirm the ideals and responsibilities of the profession; and
  - (4) training or education intended to assist licensees in determining appropriate decision-making and behavior, improve consistency in or enhance the professional delivery of

services, and provide a minimum acceptable level of practice.

[(d) Acceptable cultural diversity or competency hours include, but are not limited to continuing education regarding age, disability, ethnicity, gender, gender identity, language, national origin, race, religion, culture, sexual orientation, and socio-economic status.]

(d) [~~(e)~~] Acceptable Continuing Education Activities.

(1) All continuing education hours must have been received during the renewal period unless allowed under subsection (a)(2) of this section, and be directly related to the practice of professional counseling;

(2) The Council shall make the determination as to whether the activity claimed by the licensee is directly related to the practice of professional counseling;

(3) Except for hours claimed under subsection (g) [~~(h)~~] of this section, all continuing education hours obtained must be designated by the provider in a letter, email, certificate, or transcript that displays the licensee's name, topic covered, date(s) of training, and hours of credit earned; and

(4) Multiple instances or occurrences of a continuing education activity may not be claimed for the same renewal period.

(e) [~~(f)~~] Licensees must obtain at least fifty percent of their continuing education hours from one or more of the following providers:

(1) an international, national, regional, state, or local association of medical, mental, or behavioral health professionals;

(2) public school districts, charter schools, or education service centers;

(3) city, county, state, or federal governmental entities;

(4) an institution of higher education accredited by a regional accrediting organization recognized by the Council for Higher Education Accreditation, the Texas Higher Education Coordinating Board, or the United States Department of Education;

(5) religious or charitable organizations devoted to improving the mental or behavioral health of individuals;

(6) a licensee with supervisor status;

(7) a hospital or hospital system, including any clinic, division, or department within a hospital or hospital system; or

(8) any provider approved or endorsed by a provider listed herein.

(f) [~~(g)~~] Licensees shall receive credit for continuing education activities according to the number of hours designated by the provider, or if no such designation, on a one-for-one basis with one credit hour for each hour spent in the continuing education activity.

(g) [~~(h)~~] Notwithstanding subsection (e) [~~(f)~~] of this section, licensees may claim continuing education credit for each of the following activities:

(1) Preparing and giving a presentation at a continuing education activity. The maximum number of hours that may be claimed for this activity is 5 hours.

(2) Authoring a book or peer reviewed article. The maximum number of hours that may be claimed for this activity is 5 hours.

(3) Teaching or attending a graduate level course. The maximum number of hours that may be claimed for this activity is 5 hours.

(4) Self-study. The maximum number of hours that may be claimed for this activity is 1 hour. Self-study is credit that is obtained from any type of activity that is performed by an individual licensee acting alone. Such activities include, but are not limited to, reading materials directly related to the practice of professional counseling. Time spent individually

viewing or listening to audio, video, digital, or print media as part of an organized continuing education activity, program, or offering from a third-party is not subject to this self-study limitation and may count as acceptable education under other parts of this rule.

(5) Successful completion of a training course on human trafficking prevention described by §116.002 of the Occupations Code. Licensees who complete this training may claim 1 hour of continuing education credit.

~~(h)~~ ~~(i)~~ The Council does not pre-evaluate or pre-approve continuing education providers or hours.

~~(i)~~ ~~(j)~~ Licensees shall maintain proof of continuing education compliance for a minimum of 3 years after the applicable renewal period.

[(k) Subsection (f) of this rule is effective January 1, 2024.]

## **LSW Proposed 3.20.25**

### **781.505 Requirements for Continuing Education**

(a) Minimum Continuing Education Hours Required:

(1) A licensee must complete 30 hours of continuing education during each renewal period that they hold a license. The 30 hours of continuing education must include 6 hours in ethics and 3 hours designed to ensure competency when providing services to a distinct population, defined as a group of people who share a common attribute, trait, or defining characteristic of the licensee's choice ~~[in cultural diversity or competency]~~.

(2) A licensee may carry forward to the next renewal period, a maximum of 10 hours accrued during the current renewal period if those hours are not needed for renewal.

(b) Special Continuing Education Requirements.

(1) A licensee with supervisory status must complete 6 hours of continuing education in supervision.

(2) The special continuing education requirements set out in this subsection may be counted toward the minimum continuing education hours required under subsection (a) of this section.

(c) Acceptable ethics hours include, but are not limited to continuing education on:

(1) state or federal laws, including agency rules, relevant to the practice of social work;

(2) practice guidelines established by local, regional, state, national, or international professional organizations;

(3) training or education designed to demonstrate or affirm the ideals and responsibilities of the profession; and

(4) training or education intended to assist licensees in determining appropriate decision-making and behavior, improve consistency in or enhance the professional delivery of services, and provide a minimum acceptable level of practice.

[(d) Acceptable cultural diversity or competency hours include, but are not limited to continuing education regarding age, disability, ethnicity, gender, gender identity, language, national origin, race, religion, culture, sexual orientation, and socio-economic status.]

~~(d)~~ ~~(e)~~ Acceptable Continuing Education Activities.

(1) All continuing education hours must have been received during the renewal period unless allowed under subsection (a)(2) of this section, and be directly related to the practice of social work;a

(2) The Council shall make the determination as to whether the activity claimed by the



licensee is directly related to the practice of social work;

(3) Except for hours claimed under subsection (g) [~~(h)~~] of this section, all continuing education hours obtained must be designated by the provider in a letter, email, certificate, or transcript that displays the licensee's name, topic covered, date(s) of training, and hours of credit earned; and

(4) Multiple instances or occurrences of a continuing education activity may not be claimed for the same renewal period.

(e) [~~(f)~~] Licensees must obtain at least fifty percent of their continuing education hours from one or more of the following providers:

(1) an international, national, regional, state, or local association of medical, mental, or behavioral health professionals;

(2) public school districts, charter schools, or education service centers;

(3) city, county, state, or federal governmental entities;

(4) an institution of higher education accredited by a regional accrediting organization recognized by the Council for Higher Education Accreditation, the Texas Higher Education Coordinating Board, or the United States Department of Education;

(5) religious or charitable organizations devoted to improving the mental or behavioral health of individuals;

(6) a licensee that is a Council-approved supervisor;

(7) a hospital or hospital system, including any clinic, division, or department within a hospital or hospital system; or

(8) any provider approved or endorsed by a provider listed herein.

(f) [~~(g)~~] Licensees shall receive credit for continuing education activities according to the number of hours designated by the provider, or if no such designation, on a one-for-one basis with one credit hour for each hour spent in the continuing education activity.

(g) [~~(h)~~] Notwithstanding subsection (e) [~~(f)~~] of this section, licensees may claim continuing education credit for each of the following activities:

(1) Passage of the jurisprudence examination. Licensees who pass the jurisprudence examination may claim 1 hour of continuing education in ethics.

(2) Preparing and giving a presentation at a continuing education activity. The maximum number of hours that may be claimed for this activity is 5 hours.

(3) Authoring a book or peer reviewed article. The maximum number of hours that may be claimed for this activity is 5 hours.

(4) Teaching or attending a university or college level course. The maximum number of hours that may be claimed for this activity is 5 hours.

(5) Self-study. The maximum number of hours that may be claimed for this activity is 1 hour. Self-study is credit that is obtained from any type of activity that is performed by an individual licensee acting alone. Such activities include, but are not limited to, reading materials directly related to the practice of social work. Time spent individually viewing or listening to audio, video, digital, or print media as part of an organized continuing education activity, program or offering from a third-party is not subject to this self-study limitation and may count as acceptable continuing education under other parts of this rule.

(6) Successful completion of a training course on human trafficking prevention described by §116.002 of the Occupations Code. Licensees who complete this training may claim 1 hour of continuing education credit.

(7) Providing field or practicum instruction to social work students. A field or practicum

instructor may claim one hour of continuing education credit for each hour of college or university credit that is awarded to the social work student receiving instruction. The maximum number of hours that may be claimed for this activity is 10 hours per renewal period, and hours claimed may not be counted toward the ethics or distinct population ~~[cultural diversity or competency]~~ requirements.

~~(h)~~ ~~(+)~~ The Council does not pre-evaluate or pre-approve continuing education providers or hours.

~~(i)~~ ~~(+)~~ Licensees shall maintain proof of continuing education compliance for a minimum of 3 years after the applicable renewal period.

~~(k)~~ Subsection (f) of this rule is effective January 1, 2024.]

## **LMFT Proposed 5.17.24**

### **801.261 Requirements for Continuing Education**

(a) Minimum Continuing Education Hours Required.

(1) An LMFT must complete 30 hours of continuing education during each renewal period that they hold a license. The 30 hours of continuing education must include 6 hours in ethics and 3 hours in cultural diversity or competency. Additionally, effective September 1, 2024, the 30 hours of continuing education must also include 1 hour of continuing education in crisis management.

(2) A licensee may carry forward to the next renewal period, a maximum of 10 hours accrued during the current renewal period if those hours are not needed for renewal.

(b) Special Continuing Education Requirements. The special continuing education requirements set out in this subsection may be counted toward the minimum continuing education hours required under subsection (a) of this section.

(1) A licensee with supervisory status must complete 6 hours of continuing education in supervision.

(2) A licensee with supervisory status must take and pass the jurisprudence examination. One hour of continuing education in ethics may be claimed for passing the jurisprudence examination.

(3) A licensee who provides telehealth services must complete 2 hours of continuing education in technology-assisted services.

(c) Acceptable ethics hours include, but are not limited to continuing education on:

(1) state or federal laws, including agency rules, relevant to the practice of marriage and family therapy;

(2) practice guidelines established by local, regional, state, national, or international professional organizations;

(3) training or education designed to demonstrate or affirm the ideals and responsibilities of the profession; and

(4) training or education intended to assist licensees in determining appropriate decision-making and behavior, improve consistency in or enhance the professional delivery of services, and provide a minimum acceptable level of practice.

(d) Acceptable cultural diversity or competency and crisis management activities. ~~[Hours include, but are not limited to continuing education regarding age, disability, ethnicity, gender, gender identity, language, national origin, race, religion, culture, sexual orientation, and socio-economic~~

status.]

(1)Cultural diversity or competency hours include, but are not limited to continuing education regarding age, disability, ethnicity, gender, gender identity, language, national origin, race, religion, culture, sexual orientation, and socio-economic status.

(2)Crisis management hours include, but are not limited to continuing education regarding suicidal ideation, homicidal ideation, abuse or neglect, domestic violence, crisis prevention, and crisis or disaster response.

(e)Acceptable Continuing Education Activities.

(1)All continuing education hours must have been received during the renewal period unless allowed under subsection (a)(3) of this section, and be directly related to the practice of marriage and family therapy;

(2)The Council shall make the determination as to whether the activity claimed by the licensee is directly related to the practice of marriage and family therapy;

(3)Except for hours claimed under subsection (h) of this section, all continuing education hours obtained must be designated by the provider in a letter, email, certificate, or transcript that displays the licensee's name, topic covered, date(s) of training, and hours of credit earned.

(4)Multiple instances or occurrences of a continuing education activity may not be claimed for the same renewal period.

(f)Licensees must obtain at least fifty percent of their continuing education hours from one or more of the following providers:

(1)an international, national, regional, state, or local association of medical, mental, or behavioral health professionals;

(2)public school districts, charter schools, or education service centers;

(3)city, county, state, or federal governmental entities;

(4)an institution of higher education accredited by a regional accrediting organization recognized by the Council for Higher Education Accreditation, the Texas Higher Education Coordinating Board, or the United States Department of Education;

(5)religious or charitable organizations devoted to improving the mental or behavioral health of individuals;

(6)a graduate-level licensee with supervisor status;

(7)a hospital or hospital system, including any clinic, division, or department within a hospital or hospital system; or

(8)any provider approved or endorsed by a provider listed herein.

(g)Licensees shall receive credit for continuing education activities according to the number of hours designated by the provider, or if no such designation, on a one-for-one basis with one credit hour for each hour spent in the continuing education activity.

(h)Notwithstanding subsection (f) above, licensees may claim continuing education credit for each of the following activities:

(1)Passage of the jurisprudence examination. Licensees who pass the jurisprudence examination may claim 1 hour of continuing education in ethics.

(2)Preparing and giving a presentation at a continuing education activity. The maximum number of hours that may be claimed for this activity is 5 hours.

(3)Authoring a book or peer reviewed article. The maximum number of hours that may be claimed for this activity is 5 hours.

(4)Teaching or attending a graduate level course. The maximum number of hours that may be

claimed for this activity is 5 hours.

(5)Self-study. The maximum number of hours that may be claimed for this activity is 1 hour. Self-study is credit that is obtained from any type of activity that is performed by an individual licensee acting alone. Such activities include, but are not limited to, reading materials directly related to the practice of marriage and family therapy. Time spent individually viewing or listening to audio, video, digital, or print media as part of an organized continuing education activity, program, or offering from a third-party is not subject to this self-study limitation and may count as acceptable education under other parts of this rule.

(6)Successful completion of a training course on human trafficking prevention described by §116.002 of the Occupations Code. Licensees who complete this training may claim 1 hour of continuing education credit.

(i)The Council does not pre-evaluate or pre-approve continuing education providers or hours.

(j)Licensees shall maintain proof of continuing education compliance for a minimum of 3 years after the applicable renewal period.

(k)Subsection (f) of this rule is effective January 1, 2024.

### **LSW Proposed 10.24.23**

#### **781.323 Technology in Social Work Practice**

When social workers use technology to provide services, they are subject to all rules and statutes, including this chapter and Occupations Code, Chapter 505, as if providing face to face services. Licensees who provide professional services to clients or supervision to supervisees outside the State of Texas must comply with the laws and rules of Texas and of the out-of-state authority which govern the practice of social work. Electronic practice may be utilized by licensees, but it must meet the same standards of practice as licensees who practice face to face services.