

OCCUPATIONS CODE

TITLE 3. HEALTH PROFESSIONS

SUBTITLE I. REGULATION OF PSYCHOLOGY AND COUNSELING

CHAPTER 502. MARRIAGE AND FAMILY THERAPISTS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 502.001. SHORT TITLE. This chapter may be cited as the Licensed Marriage and Family Therapist Act.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Sec. 502.002. DEFINITIONS. In this chapter:

(1) "Board" means the Texas State Board of Examiners of Marriage and Family Therapists.

(2) "Executive council" means the Texas Behavioral Health Executive Council.

(3) Repealed by Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. [1501](#)), Sec. 2.113(34), eff. September 1, 2019.

(4) "Licensed marriage and family therapist" means a person who offers marriage and family therapy for compensation.

(5) "Licensed marriage and family therapist associate" means an individual who offers to provide marriage and family therapy for compensation under the supervision of a supervisor approved by the executive council.

(6) "Marriage and family therapy" means providing professional therapy services to individuals, families, or married couples, alone or in groups, that involve applying family systems theories and techniques. The term includes the evaluation, diagnostic assessment, and remediation of mental, cognitive, affective, behavioral, or relational dysfunction, disease, or disorder in the context of marriage or family systems and may include the use of the Diagnostic and Statistical Manual of Mental Disorders and the International Classification of Diseases. The practice of marriage and family therapy does not constitute the practice of medicine and does not include prescribing medication, treating a physical disease, or providing any service outside the scope of practice of a licensed marriage and family therapist or a

licensed marriage and family therapist associate.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 1420, Sec. 14.252(a), eff. Sept. 1, 2001.

Amended by:

Acts 2005, 79th Leg., Ch. 1061 (H.B. 1413), Sec. 1, eff. September 1, 2005.

Acts 2017, 85th Leg., R.S., Ch. 501 (H.B. 2818), Sec. 1, eff. June 9, 2017.

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.029, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.113(1), eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.113(34), eff. September 1, 2019.

Sec. 502.004. APPLICATION OF CHAPTER. This chapter does not apply to:

(1) the activities, within the scope of a person's employment, of a person employed to perform marriage and family therapy by a federal, state, county, or municipal agency or, except as provided by Section 21.003(b), Education Code, by a public or private educational institution;

(2) the activities of a student, intern, or trainee in marriage and family therapy in a recognized course of study in marriage and family therapy at an accredited institution of higher education or other training institution, if:

(A) the activities constitute a part of the course of study; and

(B) the person is called a "marriage and family therapist intern" or similar title;

(3) the activities and services of a person licensed to practice another profession, including a physician, attorney, registered nurse, occupational therapist, psychologist, social worker, or licensed professional counselor; or

(4) the activities and services of a recognized religious practitioner, including a pastoral counselor or

Christian Science practitioner recognized by the Church of Christ Scientist as registered and published in the Christian Science Journal, if the practitioner practices marriage and family therapy in a manner consistent with the laws of this state.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999. Amended by Acts 2003, 78th Leg., ch. 892, Sec. 34, eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 1061 (H.B. 1413), Sec. 3, eff. September 1, 2005.

Acts 2011, 82nd Leg., R.S., Ch. 1134 (H.B. 1386), Sec. 6, eff. June 17, 2011.

SUBCHAPTER B. BOARD OF EXAMINERS OF MARRIAGE AND FAMILY THERAPISTS

Sec. 502.051. BOARD; MEMBERSHIP. (a) The Texas State Board of Examiners of Marriage and Family Therapists consists of nine members appointed by the governor with the advice and consent of the senate as follows:

- (1) five marriage and family therapist members; and
- (2) four members who represent the public.

(b) Appointments to the board shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointee.

(c) In making appointments under Subsection (a)(1), the governor shall consider recommendations made by recognized professional associations of marriage and family therapists in this state.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Sec. 502.052. MEMBERSHIP; RESTRICTIONS. (a) A board member appointed under Section 502.051(a)(1) must:

- (1) be eligible for a license under this chapter; and
- (2) have been engaged in the practice or education of marriage and family therapy for at least five years or have 5,000 hours of clinical experience in the practice of marriage and family therapy.

(b) One member appointed under Section 502.051(a)(1) must

be a professional educator in marriage and family therapy.

(c) A person is not eligible for appointment as a public member of the board under Section 502.051(a)(2) if:

(1) the person is registered, certified, or licensed by an occupational regulatory agency in the field of health care;

(2) the person's spouse is registered, certified, or licensed by an occupational regulatory agency in the field of mental health; or

(3) the person or the person's spouse:

(A) is employed by or participates in the management of a business entity or other organization regulated by the board or receiving funds from the board;

(B) owns or controls, directly or indirectly, more than a 10 percent interest in a business entity or other organization regulated by or receiving funds from the board; or

(C) uses or receives a substantial amount of tangible goods, services, or funds from the board, other than compensation or reimbursement authorized by law for board membership, attendance, or expenses.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 1061 (H.B. 1413), Sec. 4, eff. September 1, 2005.

Sec. 502.053. MEMBERSHIP RESTRICTIONS. (a) In this section, "Texas trade association" means a cooperative and voluntarily joined statewide association of business or professional competitors in this state designed to assist its members and its industry or profession in dealing with mutual business or professional problems and in promoting their common interest.

(b) A person may not be a member of the board if:

(1) the person is an officer, employee, or paid consultant of a Texas trade association in the field of health services; or

(2) the person's spouse is an officer, manager, or paid consultant of a Texas trade association in the field of mental

health.

(c) A person may not be a member of the board if the person is required to register as a lobbyist under Chapter 305, Government Code, because of the person's activities for compensation on behalf of a profession related to the operation of the board.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 1061 (H.B. 1413), Sec. 5, eff. September 1, 2005.

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.030, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.031, eff. September 1, 2019.

Sec. 502.054. TERMS; VACANCY. (a) Members of the board serve staggered six-year terms. The terms of three members expire on February 1 of each odd-numbered year.

(b) If a vacancy occurs during a member's term, the governor shall appoint a replacement to fill the unexpired term.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Sec. 502.055. OFFICERS. (a) The governor shall designate a board member as the presiding officer. The presiding officer serves in that capacity at the will of the governor.

(b) At the meeting of the board held closest to August 31 of each year, the board shall elect one of its members as the assistant presiding officer. The assistant presiding officer serves as provided by board rule.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Sec. 502.056. GROUNDS FOR REMOVAL. (a) It is a ground for removal from the board that a member:

(1) does not have at the time of taking office the qualifications required by Section 502.052;

(2) does not maintain during service on the board the qualifications required by Section 502.052;

(3) is ineligible for membership under Section

[502.052\(c\)](#) or [502.053](#);

(4) cannot, because of illness or disability, discharge the member's duties for a substantial part of the member's term;

(5) is absent from more than half of the regularly scheduled board meetings that the member is eligible to attend during a calendar year without an excuse approved by a majority vote of the board; or

(6) violates a prohibition established by Section [502.159](#).

(b) The validity of an action of the board is not affected by the fact that it is taken when a ground for removal of a board member exists.

(c) If the executive director of the executive council has knowledge that a potential ground for removal exists, the executive director shall notify the presiding officer of the board of the potential ground. The presiding officer shall then notify the governor and the attorney general that a potential ground for removal exists. If the potential ground for removal involves the presiding officer, the executive director shall notify the next highest ranking officer of the board, who shall then notify the governor and attorney general that a potential ground for removal exists.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 1061 (H.B. [1413](#)), Sec. 6, eff. September 1, 2005.

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. [1501](#)), Sec. 2.032, eff. September 1, 2019.

Sec. 502.057. COMPENSATION; REIMBURSEMENT. (a) A board member may not receive compensation for service on the board.

(b) A board member is entitled to reimbursement for expenses as provided by the General Appropriations Act.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 1061 (H.B. [1413](#)), Sec. 7, eff.

September 1, 2005.

Sec. 502.058. MEETINGS. (a) The board shall meet at least twice during each year.

(b) The board may meet at other times at the call of the presiding officer or as provided by board rule.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Sec. 502.059. TRAINING REQUIREMENTS. (a) A person who is appointed to and qualifies for office as a member of the board may not vote, deliberate, or be counted as a member in attendance at a meeting of the board until the person completes a training program that complies with this section.

(b) The training program must provide the person with information regarding:

(1) the law governing board operations;

(2) the programs, functions, rules, and budget of the board;

(3) the scope of and limitations on the rulemaking authority of the board;

(4) the types of board rules, interpretations, and enforcement actions that may implicate federal antitrust law by limiting competition or impacting prices charged by persons engaged in a profession or business the board regulates, including any rule, interpretation, or enforcement action that:

(A) regulates the scope of practice of persons in a profession or business the board regulates;

(B) restricts advertising by persons in a profession or business the board regulates;

(C) affects the price of goods or services provided by persons in a profession or business the board regulates; or

(D) restricts participation in a profession or business the board regulates;

(5) the results of the most recent formal audit of the board;

(6) the requirements of:

(A) laws relating to open meetings, public information, administrative procedure, and disclosure of conflicts of interest; and

(B) other laws applicable to members of the board in performing their duties; and

(7) any applicable ethics policies adopted by the board or the Texas Ethics Commission.

(c) A person appointed to the board is entitled to reimbursement, as provided by the General Appropriations Act, for the travel expenses incurred in attending the training program regardless of whether the attendance at the program occurs before or after the person qualifies for office.

(d) The executive director of the executive council shall create a training manual that includes the information required by Subsection (b). The executive director shall distribute a copy of the training manual annually to each board member. Each member of the board shall sign and submit to the executive director a statement acknowledging that the member received and has reviewed the training manual.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 1061 (H.B. 1413), Sec. 8, eff. September 1, 2005.

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.033, eff. September 1, 2019.

SUBCHAPTER D. POWERS AND DUTIES

Sec. 502.151. GENERAL POWERS AND DUTIES OF EXECUTIVE COUNCIL. The executive council shall:

(1) determine the qualifications and fitness of a license applicant under this chapter; and

(2) adopt a code of professional ethics for license holders.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.035,

eff. September 1, 2019.

Sec. 502.1515. BOARD DUTIES. The board shall propose to the executive council:

(1) rules regarding:

(A) the qualifications necessary to obtain a license, including rules limiting an applicant's eligibility for a license based on the applicant's criminal history;

(B) the scope of practice of and standards of care and ethical practice for marriage and family therapy; and

(C) continuing education requirements for license holders; and

(2) a schedule of sanctions for violations of this chapter or rules adopted under this chapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.036, eff. September 1, 2019.

Sec. 502.155. POWERS AND DUTIES REGARDING EXAMINATION. The executive council shall:

(1) determine the times and places for licensing examinations;

(2) offer examinations at least semiannually; and

(3) give reasonable public notice of the examinations in the manner provided by executive council rules.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.037, eff. September 1, 2019.

Sec. 502.159. EX PARTE COMMUNICATION PROHIBITED. A member of the executive council or board or an employee of the executive council who is assigned to make a decision, a finding of fact, or a conclusion of law in a proceeding pending before the executive council may not directly or indirectly communicate with a party to the proceeding or the party's representative unless notice and an opportunity to participate are given to each party to the proceeding.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.038, eff. September 1, 2019.

SUBCHAPTER F. LICENSE REQUIREMENTS AND EXEMPTIONS

Sec. 502.251. LICENSE REQUIRED. (a) A person may not practice as a marriage and family therapist unless the person holds a license under this chapter or is exempt under Section 502.004.

(b) A person may not use the title "licensed marriage and family therapist" or "licensed marriage and family therapist associate," as appropriate, unless the person is licensed under this chapter.

(c) A person may not use a title that implies that the person is licensed or certified in marriage and family therapy unless the person is:

- (1) licensed under this chapter; or
- (2) authorized to perform marriage and family therapy in the course and scope of another license issued under a law of this state.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 1420, Sec. 14.254(a), eff. Sept. 1, 2001.

Sec. 502.252. LICENSE APPLICATION. (a) An applicant for a license must:

- (1) file a written application with the executive council on a form prescribed by the executive council; and
- (2) pay the appropriate application fee.

(b) To qualify for a license as a licensed marriage and family therapist associate, a person must:

- (1) be at least 18 years of age;
- (2) have completed a graduate internship in marriage and family therapy, or an equivalent internship, as approved by the executive council;
- (3) pass the license examination and jurisprudence

examination determined by the board;

(4) hold a master's or doctoral degree in marriage and family therapy or in a related mental health field with coursework and training determined by the executive council to be substantially equivalent to a graduate degree in marriage and family therapy from a regionally accredited institution of higher education or an institution of higher education approved by the executive council;

(5) have not been convicted of a felony or a crime involving moral turpitude;

(6) not use drugs or alcohol to an extent that affects the applicant's professional competency;

(7) not have had a license or certification revoked by a licensing agency or by a certifying professional organization; and

(8) not have engaged in fraud or deceit in applying for a license under this chapter.

(c) An applicant is eligible to apply for a license as a licensed marriage and family therapist if the person:

(1) meets the requirements of Subsection (b);

(2) after receipt of a degree described by Subsection (b)(4), has completed two years of work experience in marriage and family therapist services that includes at least 3,000 hours of clinical practice consisting of at least 1,500 hours of direct clinical services, including a minimum number of hours providing direct clinical services to couples or families as required by executive council rule; and

(3) has completed, in a manner acceptable to the executive council, at least 200 hours of supervised provision of direct clinical services by the applicant, 100 hours of which must be supervised on an individual basis.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 1420, Sec. 14.255(a), eff. Sept. 1, 2001.

Amended by:

Acts 2005, 79th Leg., Ch. 1061 (H.B. [1413](#)), Sec. 13, eff. September 1, 2005.

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.039, eff. September 1, 2019.

Sec. 502.253. APPLICATION REVIEW; ELIGIBILITY EXAMINATION. (a) The executive council shall investigate each application and any other information submitted by the applicant.

(b) Not later than the 90th day after the date the executive council receives the completed application from a person seeking a license as a licensed marriage and family therapist associate, the executive council shall notify the applicant whether the application has been accepted or rejected.

(c) An applicant for a license as a licensed marriage and family therapist associate is eligible to take the examination if the applicant:

(1) is enrolled in a graduate internship described by Section 502.252(b)(2) and provides proof to the executive council that the applicant is a student in good standing in an educational program described by Section 502.252(b)(4); or

(2) has completed the internship described by Subdivision (1).

(d) A notice that an application is rejected must state the reason for the rejection.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 1420, Sec. 14.255(a), eff. Sept. 1, 2001.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.040, eff. September 1, 2019.

Sec. 502.254. LICENSE EXAMINATION. (a) Each applicant for a license under this chapter must pass an examination described by Section 502.252(b)(3).

(b) An applicant for a license as a licensed marriage and family therapist associate under Section 502.252(b) must:

(1) file an application on a form prescribed by the executive council not later than the 90th day before the date of the examination; and

(2) pay the examination fee.

(c) The examination consists of a written examination.

(d) The executive council shall have any written portion of an examination validated by an independent testing professional.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 1420, Sec. 14.255(a), eff. Sept. 1, 2001.

Amended by:

Acts 2005, 79th Leg., Ch. 1061 (H.B. 1413), Sec. 14, eff. September 1, 2005.

Acts 2005, 79th Leg., Ch. 1061 (H.B. 1413), Sec. 15, eff. September 1, 2005.

Acts 2015, 84th Leg., R.S., Ch. 1 (S.B. 219), Sec. 5.094, eff. April 2, 2015.

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.041, eff. September 1, 2019.

Sec. 502.2541. JURISPRUDENCE EXAMINATION. (a) The board shall develop a jurisprudence examination to determine an applicant's knowledge of this chapter, rules adopted under this chapter, and any other applicable laws of this state affecting the applicant's practice of marriage and family therapy. The executive council shall administer the examination at least twice each calendar year.

(b) The executive council shall adopt rules to implement this section, including rules related to the development and administration of the examination, examination fees, guidelines for reexamination, grading the examination, and providing notice of examination results.

Added by Acts 2005, 79th Leg., Ch. 1061 (H.B. 1413), Sec. 16, eff. September 1, 2005.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.042, eff. September 1, 2019.

Sec. 502.2545. WAIVER OF EXAMINATION FOR CERTAIN APPLICANTS. (a) The executive council may waive the requirement

that an applicant for a license as a licensed marriage and family therapist pass the examination required by Section 502.254 if the applicant:

(1) is a provisional license holder under Section 502.259 and the executive council determines that the applicant possesses sufficient education and professional experience to receive a license without further examination; or

(2) holds a license issued by another licensing agency in a profession related to the practice of marriage and family therapy and the executive council determines that the applicant possesses sufficient education and professional experience to receive a license without satisfying the examination requirements of this chapter.

(b) The executive council may adopt rules necessary to administer this section, including rules under Subsection (a)(2) prescribing the professions that are related to the practice of marriage and family therapy.

Added by Acts 2001, 77th Leg., ch. 1420, Sec. 14.256(a), eff. Sept. 1, 2001.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.043, eff. September 1, 2019.

Sec. 502.257. ISSUANCE OF LICENSE. The executive council shall issue a license as a licensed marriage and family therapist associate or licensed marriage and family therapist, as appropriate, to an applicant who:

(1) complies with the requirements of this chapter;

(2) passes the licensing examination, unless the executive council exempts the person from the examination requirement; and

(3) pays the required fees.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 1420, Sec. 14.257(a), eff. Sept. 1, 2001.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.044,

eff. September 1, 2019.

Sec. 502.258. TEMPORARY LICENSE. (a) The executive council by rule may provide for the issuance of a temporary license.

(b) Rules adopted under this section must include a time limit for temporary licenses.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.045, eff. September 1, 2019.

Sec. 502.259. PROVISIONAL LICENSE. (a) The executive council may grant a provisional license to practice as a marriage and family therapist in this state without examination to an applicant who is licensed or otherwise registered as a marriage and family therapist by another state or jurisdiction if the requirements to be licensed or registered in the other state or jurisdiction were, on the date the person was licensed or registered, substantially equal to the requirements of this chapter.

(b) An applicant for a provisional license must:

(1) be licensed in good standing as a marriage and family therapist in another state or jurisdiction that has licensing requirements that are substantially equal to the requirements of this chapter;

(2) have passed a national or other examination that:

(A) is recognized by the executive council; and

(B) relates to marriage and family therapy; and

(3) be sponsored by a person licensed by the executive council with whom the provisional license holder may practice under this section.

(c) An applicant may be excused from the requirement of Subsection (b)(3) if the executive council determines that compliance with that subsection constitutes a hardship to the applicant.

(d) A provisional license is valid until the date the executive council approves or denies the provisional license

holder's application for a license under Section 502.257. The executive council shall complete processing of a provisional license holder's application for a license not later than the 180th day after the date the provisional license is issued. The executive council may extend this period to allow for the receipt and tabulation of pending examination results.

(e) The executive council shall issue a license under Section 502.257 to a provisional license holder if:

(1) the provisional license holder passes the examination required by Section 502.254;

(2) the executive council verifies that the provisional license holder satisfies the academic and experience requirements of this chapter; and

(3) the provisional license holder satisfies any other license requirements under this chapter.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.046, eff. September 1, 2019.

Sec. 502.260. INACTIVE STATUS. (a) The executive council may place a license holder's license under this chapter on inactive status if the holder is not actively engaged in the practice of marriage and family therapy and the holder submits a written request to the executive council before the expiration of the holder's license.

(b) The executive council shall maintain a list of each license holder whose license is on inactive status.

(c) A license holder whose license is on inactive status:

(1) is not required to pay a renewal fee; and

(2) may not perform an activity regulated under this chapter.

(d) The executive council shall remove the license holder's license from inactive status if the person:

(1) notifies the executive council in writing that the person intends to return to active practice;

(2) pays an administrative fee; and

(3) complies with educational or other requirements the executive council adopts by rule.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1 (S.B. 219), Sec. 5.095, eff. April 2, 2015.

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.047, eff. September 1, 2019.

Sec. 502.261. DUTIES OF LICENSE HOLDER. (a) A license holder shall display the license holder's license in a conspicuous manner in the person's principal place of practice.

(b) Each license holder shall notify the executive council of the license holder's current address.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.048, eff. September 1, 2019.

SUBCHAPTER G. LICENSE RENEWAL

Sec. 502.301. RENEWAL OF LICENSE. (a) A license issued under this chapter is subject to biennial renewal. The executive council shall adopt a system under which licenses expire on various dates during the year.

(b) Repealed by Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.113(50), eff. September 1, 2019.

(c) Repealed by Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.113(50), eff. September 1, 2019.

(d) Repealed by Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.113(50), eff. September 1, 2019.

(e) Repealed by Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.113(50), eff. September 1, 2019.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 1061 (H.B. 1413), Sec. 17, eff. September 1, 2005.

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.049, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.113(50), eff. September 1, 2019.

SUBCHAPTER H. DISCIPLINARY ACTIONS

Sec. 502.351. GROUND FOR DISCIPLINARY ACTION. The executive council shall take disciplinary action under Subchapter G, Chapter 507, against a license holder who:

(1) is convicted of a misdemeanor involving moral turpitude or a felony;

(2) obtains or attempts to obtain a license by fraud or deception;

(3) uses drugs or alcohol to an extent that affects the license holder's professional competence;

(4) performs professional duties in a grossly negligent manner;

(5) is adjudicated as mentally incompetent by a court;

(6) practices in a manner that is detrimental to the public health or welfare;

(7) advertises in a manner that tends to deceive or defraud the public;

(8) has a license or certification revoked by a licensing agency or a certifying professional organization;

(9) violates this chapter or a rule or code of ethics adopted under this chapter; or

(10) commits an act for which liability exists under Chapter 81, Civil Practice and Remedies Code.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 1061 (H.B. 1413), Sec. 19, eff. September 1, 2005.

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.051, eff. September 1, 2019.

Sec. 502.357. GROUND FOR REFUSING RENEWAL. The executive

council may refuse to renew the license of a person who fails to pay an administrative penalty imposed under Subchapter H, Chapter 507, unless enforcement of the penalty is stayed or a court has ordered that the administrative penalty is not owed.

Added by Acts 2005, 79th Leg., Ch. 1061 (H.B. 1413), Sec. 20, eff. September 1, 2005.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.052, eff. September 1, 2019.

Sec. 502.358. REFUND. (a) Subject to Subsection (b), the executive council may order a license holder to pay a refund to a consumer as provided in an agreement resulting from an informal settlement conference instead of or in addition to imposing an administrative penalty under Subchapter H, Chapter 507.

(b) The amount of a refund ordered as provided in an agreement resulting from an informal settlement conference may not exceed the amount the consumer paid to the license holder for a service regulated by this chapter. The executive council may not require payment of other damages or estimate harm in a refund order. Added by Acts 2005, 79th Leg., Ch. 1061 (H.B. 1413), Sec. 20, eff. September 1, 2005.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 768 (H.B. 1501), Sec. 2.053, eff. September 1, 2019.

SUBCHAPTER J. CRIMINAL PENALTY

Sec. 502.454. CRIMINAL PENALTY. (a) A person required to hold a license under this chapter commits an offense if the person knowingly acts as a marriage and family therapist without holding a license issued under this chapter.

(b) An offense under Subsection (a) is a Class B misdemeanor.

Acts 1999, 76th Leg., ch. 388, Sec. 1, eff. Sept. 1, 1999.