



Texas Association for Marriage and Family Therapy

82nd SESSION LEGISLATIVE PROGRAM

TAMFT will work to build on the achievements from last session. Legislative efforts to date have borne good results, but each session brings new challenges and opportunities. The 2011 legislative program is categorized into three distinctive, but equally important tiers - Tier I (Initiatives), Tier II (Endorsements) and Tier III (Defense).

While challenges remain, TAMFT is making significant progress in establishing a solid framework to build organizational capacity, safeguarding LMFT's through a strong advocacy program and taking actions to increase member participation.

I. AGENDA: LEGISLATIVE/ REGULATORY INITIATIVES

A. TIER 1: Tier I, referred to as “*initiatives*”, or those issues that TAMFT will be pro-actively involved with through activities such as drafting of legislation, recruiting legislative sponsors for filing bills, providing committee testimony, and other related activities needed to pursue passage of legislation, amendments or budget riders. The criteria for considering an issue as an initiative or Tier I item include: LMFT Specific Impact; LMFT Disproportionately Impacted; TAMFT Involvement Critical to the Success or Failure of the Measure.

1. Maintain Access and Affirm Scope of Practice:

TAMFT will pursue legislative, regulatory and/or legal settlement opportunities to preserve cost-effective access to professional mental health services provided by Licensed Marriage and Family Therapists (LMFTs), by ensuring that any assessment, diagnosis or treatment performed, is appropriately reflected within our scope of practice, and does not constitute the practice of medicine. Affirming the licensed duties and responsibilities of a LMFT, while preserving access to cost-effective mental health care remains the Association's top priority for 2011.

2. Clarify Eligibility for LMFT Providers In School Settings:

Marriage and Family Therapy is one of the five core mental health disciplines recognized by the Health Resources and Services Administration (HRSA). LMFT's are the *only* mental health professionals required to receive training in family therapy, family systems and family-based interventions that have proven to be highly effective in treating school children. Despite relevant and specialized educational background and training in the individual treatment of school age children, LMFTs are not specifically mentioned along with other licensed mental health professionals to provide a growing need for mental health services in school settings.

3. *Extend Charitable Organization and Civil Liability to Cover Good Samaritan Mental Health Professionals:*

Health care professionals often offer emergency volunteer health, medical and mental health services directly or through charitable organizations to persons adversely affected by natural disasters and other emergencies. In those instances, these volunteer health care providers offer services without compensation or expectations of compensation. Provisions in the Civil Practices Code relating to charitable immunity and liability, sometimes referred to the “Good Samaritan Act”, offers needed civil liability protection for many licensed health care providers who elect to provide services consistent with their scope of practice. LMFT’s, nor any of the other licensed mental health professional are afforded charitable immunity and liability protection. TAMFT will support the expansions of the Good Samaritan civil liability protection to include LMFTs.

4. *Improve access to MFT license:*

The Texas State Board of Examiners of Marriage and Family Therapists (TSBEMFT) recently considered modifications in state law to reduce the minimum required hours for direct couples and family therapy from 750 to 500. The Board was unable to proceed with the proposed modification of licensure hours by rule due to statutory restrictions.

The membership of TAMFT is dedicated to the belief that the licensed practice of marriage and family therapy plays an essential role in the provision of mental health services and as such, works closely with our licensure board, the legislature and other interested mental health stakeholders to ensure the highest standards of professionalism and ethics. TAMFT will consider supporting modifications to the MFT license to ensure appropriate, professional credentialing, while preserving the license uniqueness and identifying other constructive reforms to meet the needs of clients and improve the recruitment pipeline for LMFTs. TAMFT will work cooperatively with the licensure board on the proposed hours modification, but also on other potentially constructive changes, including reclassification of “couples and family” hours to a more appropriate “relational” hours definition, the carry forward or transfer of practicum hours, and the possible reallocation of dedicated hours and/or recognition of an “advanced practitioner” designation.

II. ENDORSEMENTS

B. TIER 2: Tier II, referred to as “endorsements” or those issues where TAMFT will not be the primary advocate, but will work collectively with other parties such as other mental health professionals, to communicate the organization’s support for various appropriation decisions, legislative issues or amendments where appropriate. TAMFT will make known its support of an issue through a letter/card of support, public testimony, or lending its name to an advocacy effort, but will not take a leading legislative role.

1. *Maintain or Enhance Mental Health Funding:* TAMFT fully recognizes the current financial situation facing the state and acknowledges that Medicaid reimbursement and mental health service cuts, will be fiercely debated this session. TAMFT will work with others to minimize budget cuts, predicated on the belief that Medicaid cuts are not the most cost-effective way to trim health care expenditures, since each dollar cut, represents the loss of \$1.50 in federal matching funds, not to mention the irreparable costs sustained to individuals who will be unable to access needed services.

2. ***Preserve an Independent Licensure Board:*** TAMFT will advocate for an independent state board to provide dedicated oversight and regulation for the profession of licensed marriage and family therapists.
3. ***Gaming / Mental Health Services Stream for Therapy:*** TAMFT will advocate for an addiction/ mental health revenue stream from gaming revenue if passed.
4. ***Repeal State Agency Waiver at TDCJ:*** TAMFT will consider repeal of State Agency Waiver at TDCJ for ALL licensed mental health providers.
5. ***Promote Mental Health Block Grants:*** Should Texas implement the Patient Protection and Affordable Care Act, TAMFT supports parity and the use of mental health block grants to ensure access to mental health care.

III. DEFENSE

C. **TIER 3:** Tier III, referred to as “defensive” or those issues where TAMFT will use its resources to oppose legislation, amendments or appropriations decisions identified as being detrimental to LMFT's, other mental health professionals or state policy as deemed appropriate by the Board or membership.

1. *Oppose Cuts to Mental Health Funding*
2. *Oppose Adverse Legislation to LMFT or other Mental Health Practitioners*
3. *Oppose State Agency Waiver for Select Mental Health Practitioners*
4. *Oppose the Merger of Mental Health Licensure Boards*

The 2011 legislative session promises to be extremely difficult with the projected \$18- \$27 billion shortfall, redistricting, legislature composition and major agency sunset deliberations, including Texas Department of Insurance. TAMFT's legislative program recognizes the importance of prioritizing the association's limited resources and growing membership through substantive engagement, to enhance overall effectiveness and capacity.