

Texas Register

TITLE 22 EXAMINING BOARDS
 PART 41 TEXAS BEHAVIORAL HEALTH EXECUTIVE COUNCIL
 CHAPTER 882 APPLICATIONS AND LICENSING
 SUBCHAPTER A LICENSE APPLICATIONS
 RULE §882.14 Petition for Waiver or Remediation of Deficiency
 ISSUE 08/02/2024
 ACTION Proposed

[Preamble](#)

No Rule Available

(a)An applicant who does not meet the prerequisites for a particular license under Chapters 501, 502, 503, or 505 of the Occupations Code, may petition the Council to waive or remediate a deficiency of their application. The Council may waive a prerequisite, or allow remediation by setting reasonable conditions on the applicant for approval of the license application, if:

(1)the applicant can show

(A)good cause for the deficiency, or

(B)that the deficiency is due to a disaster declared under Chapter 418 of the Government Code or under similar authority in another jurisdiction;

(2)the prerequisite(s) is not mandated by federal law, the Texas Constitution, or state statute;

(3)the deficiency would not adversely affect the public welfare; and

(4)any conditions established by the member board will ensure the applicant's education, training, and experience provide reasonable assurance that the applicant has the knowledge and skills necessary for entry-level practice under the license sought.

(b)Each member board shall be responsible for reviewing petitions for waiver or remediation of a license prerequisite in accordance with §882.4 of this chapter.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on July 17, 2024

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Texas Behavioral Health Executive Council

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For further information, please call: (512) 305-7706

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