1.0 Subject and Purpose

The Health and Human Services Commission (HHSC) adopted emergency rules in response to the state of disaster declared in Texas and the United States of America relating to COVID-19. Certain counselor interns with more than 1,000 hours of supervised work experience are now temporarily permitted to provide services in person or through two-way, real-time internet or telephone communications, and certain qualified counselor intern supervisors are now temporarily permitted to provide supervision through two-way, real-time internet or telephone communications to reduce the risk of transmission of COVID-19.

This letter describes the emergency rules adopted during the disaster.

2.0 Policy Details & Provider Responsibilities

Emergency rule §500.51, Supervision of LCDC Interns in Response to COVID-19, is adopted under 26 TAC, Part 1, Chapter 500, Subchapter E. Under this emergency rule, counselor interns and supervisors must follow operational and professional requirements in response to COVID-19.

2.1 Emergency Rule §500.51 Supervision of LCDC Interns in Response to COVID-19

Under emergency rule §500.51, counselor interns with more than 1,000 hours of supervised work experience may provide services to clients in person or through two-way, real-time internet or telephone communications.
Also, supervisors of LCDC interns with less than 2,000 hours of supervised work experience may provide supervision in person or through two-way, real-time internet or telephone communications. Finally, certified clinical supervisors, clinical training institution coordinators, and qualified credentialed counselors at clinical training institutions may provide supervision to a counselor intern using two-way, real-time internet or telephone communications to observe and document the intern performing assigned activities and to provide and document one hour of face-to-face individual or group supervision. The emergency rule is reproduced below:

§500.51. Supervision of LCDC Interns in Response to COVID-19.

(a) A counselor intern with more than 1,000 hours of supervised work experience may provide services in person or using two-way, real-time internet or telephone communications.

(b) Notwithstanding 25 TAC §140.422(c), the supervisor of a counselor intern with less than 2,000 hours of supervised work experience must be on site or immediately accessible by two-way, real-time internet or telephone communications when the intern is providing services.

(c) When supervising a counselor intern as required by 25 TAC §140.422(d), (e), (g), and (h), the certified clinical supervisor, or the clinical training institution coordinator or intern's supervising qualified credentialed counselor at a clinical training institution, may use two-way, real-time internet or telephone communications to observe and document the intern performing assigned activities and to provide and document one hour of face-to-face individual or group supervision.

3.0 Background/History

In accordance with Texas Government Code §2001.034, HHSC adopted emergency rule §500.51, relating to Supervision of LCDC Interns in Response to COVID-19, in 26 TAC, Part 1, Chapter 500, Subchapter E on April 29, 2020 due to imminent peril to the public health, safety, or welfare. These emergency rules may not be effective for longer than 120 days and may not be renewed for longer than 60 days.

4.0 Resources


5.0 Contact Information

If you have any questions about this letter, please contact the Policy, Rules, and Training section by email at: HCQ_PRT@hhsc.state.tx.us.