

## **SUMMARY OF PROPOSED RULE**

37 Tex. Admin. Code § 221.12. *Mental Health Telecommunicator Proficiency.*

The proposed new rule would establish a mental health proficiency certificate for telecommunicators.

## **RESUMEN DE LA NORMA PROPUESTA**

37 Tex. Admin. Code § 221.12. *Competencia en Telecomunicaciones para la Salud Mental.*

La nueva normativa propuesta establecería un certificado de competencia en salud mental para los profesionales de las telecomunicaciones.

## **PUBLICATION IN *TEXAS REGISTER***

The Texas Commission on Law Enforcement (Commission) proposes new 37 Texas Administrative Code §221.12, Mental Health Telecommunicator Proficiency. The proposed new rule would establish a mental health proficiency certificate for telecommunicators. This proficiency certificate would be similar in function to the mental health officer proficiency certificate for peace officers, county jailers, and justices of the peace from 37 Texas Administrative Code §221.11, Mental Health Officer Proficiency. This optional certificate would provide telecommunicators with relevant mental health training to better perform their job duties and responsibilities.

Mr. John P. Beauchamp, General Counsel, has determined that for each year of the first five years this proposed new rule will be in effect, there will be no foreseeable fiscal implications to state or local governments as a result of enforcing or administering the proposal.

Mr. Beauchamp has determined that for each year of the first five years this proposed new rule will be in effect, there will be a positive benefit to the public by allowing telecommunicators to obtain a mental health proficiency certificate. There will be no anticipated economic costs to persons required to comply with the proposal.

Mr. Beauchamp has determined that for each year of the first five years this proposed new rule will be in effect, there will be no adverse economic effects to small businesses, microbusinesses, or rural communities as a result of implementing the proposal.

Mr. Beauchamp has determined that for each year of the first five years this proposed new rule will be in effect, there will be no effects to a local economy as a result of implementing the proposal.

Mr. Beauchamp has determined the following:

- (1) the proposed rule does not create or eliminate a government program;
- (2) implementation of the proposed rule does not require the creation of new employee positions or the elimination of existing employee positions;
- (3) implementation of the proposed rule does not require an increase or decrease in future legislative appropriations to the agency;

- (4) the proposed rule does not require an increase or decrease in fees paid to the agency;
- (5) the proposed rule does not create a new regulation;
- (6) the proposed rule does not expand, limit, or repeal an existing regulation;
- (7) the proposed rule does not increase or decrease the number of individuals subject to the rule's applicability; and
- (8) the proposed rule does not positively or adversely affect this state's economy.

The Commission is requesting comments regarding the proposed new rule and information related to the cost, benefit, or effect of the proposed new rule, including any applicable data, research, or analysis, from any person required to comply with the proposed new rule or any other interested person. The comment period will last 30 days following the publication of this proposal in the *Texas Register*. Comments and information may be submitted electronically to [public.comment@tcole.texas.gov](mailto:public.comment@tcole.texas.gov) or in writing to Mr. John P. Beauchamp, General Counsel, Texas Commission on Law Enforcement, 6330 E. Highway 290, Suite 200, Austin, Texas 78723-1035.

The new rule is proposed pursuant to Texas Occupations Code §1701.151, General Powers of Commission; Rulemaking Authority. Texas Occupations Code §1701.151 authorizes the Commission to adopt rules for the administration of Occupations Code Chapter 1701 and to establish minimum standards relating to the competence and reliability, including the education, training, physical, and mental standards, for licensing as an officer, county jailer, or telecommunicator.

The new rule as proposed affects or implements Texas Occupations Code §1701.151, General Powers of Commission; Rulemaking Authority. No other code, article, or statute is affected by this proposal.

The proposed new rule has been reviewed by legal counsel and has been found to be within the Commission's authority to adopt.

§221.12. Mental Health Telecommunicator Proficiency.

(a) To qualify for a mental health telecommunicator proficiency certificate, an applicant must meet the following requirements:

- (1) be currently appointed as a telecommunicator;
- (2) have at least two years of experience as a telecommunicator;
- (3) have never had a license or certificate issued by the commission suspended or revoked;
- (4) have met the continuing education requirements for the previous training unit; and
- (5) successfully complete at least 16 hours of commission-approved instruction covering crisis triage, de-escalation, referral protocols and coordination with 988, telecommunicator wellness, and documentation practices.

(b) The effective date of this section is June 1, 2026.