



Kim Vickers
Executive Director

TEXAS COMMISSION ON LAW ENFORCEMENT

Technical Assistance Bulletin

To: All Texas Law Enforcement Agencies/Contract Training Providers/Licensees
From: Michael Antu/Director, Enforcement and Special Services
Regarding: **Required L2 (Medical Exam) and L3 (Psychological Exam) Procedures**
Date: June 23, 2020

TCOLE rules outline the steps one should follow to procure the physical/drug (L-2) and psychological (L-3) examination. Agency guidelines must be checked to ensure they meet or exceed 217.1 (b) standards:

L-2 Requirements:

1. The L-2 must be fully signed and executed with 180 days before the first day of the academy or appointment (if required for the appointment). A valid L2 used for academy entry remains valid for subsequent appointments for 180 days after academy graduation.
2. The physician must be selected by the employing agency (or the academy for independent cadets). Giving the cadet the L-2 form and letting them find a physician does not meet the rule.
3. The physician must be licensed by the Texas Medical Board. You can go to the following web site to verify licensing status: <http://www.tmb.state.tx.us/page/look-up-a-license>
4. TCOLE has administratively determined that a physician assistant (PA) and a nurse practitioner (NP) may conduct the exam and endorse the L-2. You can go to the following web site to confirm that the certified nurse practitioner (NP) is properly licensed. The words "nurse practitioner" will show in the license title. A Licensed Vocational Nurse (LVN), Registered Nurse (RN), etc. do not meet the rule. You can go here to confirm a license status: <https://www.bon.texas.gov/forms/applstatus.asp>.
5. The physician must be familiar with the job/academy duties. One way to ensure this is to provide a copy of the job description and have the physician sign documentation stating they received and understood the job description.
6. The physician must read, sign and date the L-2 form in the appropriate section. It must be physically signed by the physician, PA or NP. The use of a signature stamp, e-signature, or signature by an assistant does not meet the rule requirement.
7. The drug test section must meet the same standards as those shown above for the physical exam. For new licensees, both the physical exam and the drug test sections of the L-2 must be signed. Telecommunicators may undergo both the physical exam and the drug screen, but telecommunicators are only required to undergo the drug screening process. Jailers and Peace Officers must undergo both examinations. For previous licensees, only the drug screen is required.
8. TCOLE will also accept certified US DOT locations for drug screen test purposes only. For more information on US DOT approved sites in Texas go to: <https://www.transportation.gov/odapc/labs>.
9. TCOLE requires you maintain the L-2 drug form. TCOLE does not require you to maintain the actual drug lab test detailed results. If you do retain the medical lab report, ensure that it was generated or "reported" before the date of the physician signature on the L-2. Keep in mind that the detailed medical lab report (not the L-2) may be considered a medical form regulated by HIPPA.

L-3 Requirements:

1. The L-3 must be fully executed and signed with 180 days before the first day of the academy or appointment (if required for the appointment). A valid L3 used for academy entry remains valid for subsequent appointments for 180 days after academy graduation.



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2. The psychological examination must be conducted by a properly licensed psychologist or psychiatrist. Drug therapist, marital counselor, and others do not meet rule requirements.
3. The psychologist must be selected by the employing agency or the academy. Giving the cadet the L-3 form and letting them find a psychologist does not meet the rule.
4. The psychologist must be familiar with the job/academy duties for the license being sought. One way to ensure this is to provide a copy of the job description and have the physician sign documentation stating they received and understood the job description.
5. The psychologist/psychiatrist must be licensed by the Texas Board of Examiners of Psychologists. You may go here to confirm: <https://www.tsbep.texas.gov/public-information-on-licenses>
6. The psychologist must read, sign and date the L-3 form in the appropriate section. It must be physically signed by the psychologist. The use of a signature stamp, e-signature or signed by an assistant does not meet the rule requirement.
7. The psychologist must be provided a copy of the personal history statement (PHS) and any background reports or documents for review purposes prior to conducting the interview.
8. The psychological exam must be conducted in accordance with professional standards, including:
 - a. Use of two instruments, one measuring personality traits and one measuring psychopathology,
 - b. Conducting a face-to-face interview after the two instruments above are scored and a review of the personal history statement and background documents.
9. The interviews must be conducted face-to-face unless advanced written authorization is approved by TCOLE to conduct live video interviews based upon urgent necessity and meeting industry security requirements (HIPPA).

Training academies may contact the designated Academy Contract Evaluator (ACE) for your area, and other agencies may contact your Field Services Agent (FSA) for additional questions or information. Contact information is located on the TCOLE web site: <http://www.tcole.texas.gov/content/contact-us>