

1 **Amend Rule 7.2(b) as follows:**

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3 **7.2 Requirement of Certification**

4 (b) To be eligible for certification, a person must:

5 (1) satisfy the requirements of Section 3.0 of these rules;

6 (2) be at least 21 years of age;

7 (3) be a high school graduate or possess the GED equivalent;

8 (4) obtain work experience, education and training, or a combination of work experience  
9 and education and training as follows:

10 (A) have two years of relevant work experience related to guardianship or have  
11 met the following education or training requirements:

12 (i)~~(A)~~ a minimum of a bachelor's degree conferred by a college  
13 or university accredited by an organization recognized by the  
14 Texas Higher Education Coordinating Board in a field related to  
15 guardianship; or

16 (ii)~~(B)~~ completion of a course curriculum or training specifically  
17 related to guardianship approved by the Commission for guardians  
18 who provide services on behalf of the Health and Human Services  
19 Commission; or

20 (B) have one year of work experience related to guardianship and completion of a  
21 course curriculum or training specifically related to guardianship approved by the  
22 Commission;

23 (5) successfully pass, after no more than four exam attempts, an examination approved by  
24 the Commission that covers Texas law and procedure related to guardianship and any  
25 other examination required and approved by the Commission testing knowledge of  
26 guardianship issues;

27 (6) attest under penalty of perjury whether he or she has ever been adjudged guilty of, or  
28 entered a plea of guilty or no contest in return for a grant of deferred adjudication with  
29 respect to, any felony or misdemeanor offense, which will be considered using the factors  
30 listed in Rule 3.5; and

31 (7) attest under penalty of perjury whether he or she:

32 (A) has ever been relieved of responsibilities as a guardian or fiduciary by a court,  
33 employer, or client for actions involving fraud, moral turpitude,  
34 misrepresentation, material omission, misappropriation, theft, assault, battery,  
35 abuse, neglect, breach of trust, breach of fiduciary duty, or conversion;

1 (B) has ever been found civilly liable or settled a claim in an action, including but  
2 not limited to a surcharge action, that involved allegations of fraud,  
3 misrepresentation, material omission, misappropriation, theft, assault, battery,  
4 abuse, neglect, breach of trust, breach of fiduciary duty, or conversion on the  
5 applicant's part;

6 (C) has ever been denied certification or had his or her certification revoked or  
7 suspended in Texas or any other jurisdiction that requires certification,  
8 registration, or licensure to provide guardianship services; or

9 (D) has ever surrendered his or her certification in Texas or any other jurisdiction  
10 that requires certification, registration, or licensure to provide guardianship  
11 certification.

12