

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) satisfy the requirements of (A), (B), or (C) below:

9 (A) have two years of relevant work experience related to guardianship;

10 (B) ~~have~~ have met the following education or training requirements:

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

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

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

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

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

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

31 (A) has ever been relieved of responsibilities as a guardian or fiduciary by a court,
32 employer, or client for actions involving fraud, moral turpitude,
33 misrepresentation, material omission, misappropriation, theft, assault, battery,
34 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.

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