

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Correction to Response for 12-8-16 Meeting
Date: Wednesday, December 14, 2016 12:24:10 PM

From:
Sent: Wednesday, December 14, 2016 11:15 AM
To: Sunset Advisory Commission
Subject: Correction to Response for 12-8-16 Meeting

Hi,

This is update from 1st response since it repeats first comment when gets to "Any Alternative or New Recommendations on This Agency:".

So here is the update response to "Any Alternative or New Recommendations on This Agency:".

(Also change city to Williamson County)

Submitted on Tuesday, December 13, 2016 - 16:13

Information submitted to Sunset:

Agency: TEXAS STATE BOARD EXAMINERS PROFESSIONAL COUNSELORS

First Name: anon - Concern

Last Name: anonymous - Concern Citizen

Title: Attorney/licensee response time to LPC Board

Organization you are affiliated with:

Email:

City: Williamson County

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

To the Sunset Commission,

I am responding to the meeting that was held December 8, 2016. Unfortunately I have had firsthand experience of the dysfunctionality of the current oversight process for licensed professional counselors. While under the care of a LPC, I experienced significant harm due to their actions. The current

process of seeking to hold them accountable to their own professional standards has been confusing, frustrating and, at times, completely baffling. I was unable to attend the meeting but have listened attentively to the Sunset Advisory Commission recordings. I have heard the testimonies of several who have spoken of the major concern of the backlogs that has occurred over last several years. I am very concerned as one, whom has experienced harm, that the LPCs are not being held accountable to the rules set out by their own board.

Mrs. Kenda Dalrymple (attorney of administrative law) testified how DSHS and the board are at fault for slowing down the process of the complaints. I do agree with Mrs. Dalrymple that there are some issues with DSHS. But, based on my firsthand experience with her and the complaint process, the LPCs and their attorneys are just as much at fault. They routinely ignore the authority of the board with little to no consequences. For example, two complaints against a LPC represented by Mrs. Dalrymple were filed in early 2016 and they have yet to provide the information requested by DSHS. They have knowingly and deliberately demonstrated a complete lack of respect for the authority of the board by ignoring the rules spelled out in the Texas Administrative Code Subchapter K §681.161(e) that clearly states that licensee “must respond within 15 business days of the Executive Director's request.” To this date, almost a year later, they have yet to respond.

Mrs. Dalrymple and her client have failed to provide information requested and continue to drag their feet, delaying the process. Mrs. Dalrymple told Representative Raymond that she “rarely does not ask for continuances” and that “generally we want this to go as quickly as possible” but from my experience she routinely uses tactics to slow down process. Her testimony to Representative Raymond does not match how she has handled these complaints.

I do believe DSHS has problems as well. Based upon multiple conversations with multiple individuals in the complaint office, I have been informed that ignoring requests for documentation is a very common practice. I feel if rules are enforced then it will speed up process of complaints too, so DSHS staff will not have to spend time making multiple requests before the appropriate response is received from the licensee.

Thank you for taking time to read my response.

Any Alternative or New Recommendations on This Agency:

1) Need to enforce the rules, then it will speed up process of complaints too, so DSHS staff will not have to spend time making multiple requests before the appropriate response is received from the licensee.

2) To have qualified staff that can help speed process effectively but not do more harm to public.

3) To hire more investigators there are not enough for so many complaints, up resources in the areas needed.

4) Put money that is brought in be used for this organization, licensees & processes.
Representative Raymond explained it well how the money is not being used properly. Thank you for addressing this. :-).
... Need have their own line item with budget.

5) Have agency small (instead of mega organization like DSHS/TDLR) and keep mental health agency together. Keep professionals involved with rule making.

My Comment Will Be Made Public: I agree