

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#); [Brittany Roberson](#)
Subject: FW: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Thursday, June 05, 2014 5:27:16 PM

-----Original Message-----

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Thursday, June 05, 2014 3:32 PM
To: Sunset Advisory Commission
Subject: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)

Submitted on Thursday, June 5, 2014 - 15:31

Agency: DEPARTMENT STATE HEALTH SERVICES DSHS

First Name: Brenda "Brandi"

Last Name: Buckner

Title: PhD, Licensed Professional Counselor Supervisor, NCC, RPT/Supervisor

Organization you are affiliated with: Board Vice Chair for Texas State Board of Examiners of Professional Counselors

City: Weatherford

State: Texas

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

We have grave concerns, and valuable information we believe the Sunset Report missed in understanding the LPC license as well as other Mental Health Licenses. We also have concerns of public safety by being under an agency that has no experience with mental health. Our license is a "professional" license and not an occupational or trade license.

At lightning speed the LPC Board fate is being determined and we are just now having an opportunity to give our input, which at this point feels like a need to defend and educate the Sunset Committee about our license. We have not had an opportunity to inject information into this process until the ninth hour. This is a profession that will be negatively affected if the Sunset Commission moves forward with their suggested restructuring without the correct information. This is not an Ego Driven Trip for the Board in order to save ourselves. We take very seriously the board's directive – to protect the public.

From reading the May 2014 Sunset Report there is noticeably a "big hole" in the understanding of the LPC license as well as the other Mental Health Licenses. According to the 2013 sunset report mental health licensees' total 55444. It is difficult to understand and make sense that the psychology board totals significantly less licensees and is a stand-alone independent board.

Agreement with Sunset Report:

The Licensed Professional Counselor Board agrees with the sunset report assessment of DSHS agency. The scope of DSHS legislative directive is beyond their resources. They are a state agency with a shortage of critical personnel while being burdened with an overabundance of noncritical personnel such as too many managers, directors and supervisors.

Problem with Sunsets Understanding the LPC License:

The Licensed Professional Counselor License is not an occupational license it is a professional license which is a major problem with LPC being grouped under an agency that only has experience with the occupational license and small Industry Regulation. An occupational or trade licensing might be capable of being regulated by a government employee but mental health professionals should be accountable to other mental health professionals to oversee that the public is not being harmed.

The LPC must remain structured as an Independent Board and not be reduced to an Advisory Committee. The agency or the staff will not have the education and experience to write the rules as they are not trained professionals. As professional board members we use our education, knowledge and experience to comprehensively understand the rules and to make the rules and to understand the transgressions of those rules as opposed to allowing a state agency to make judgment calls on things that they have not been professionally trained to do.

Most importantly, the LPC Board has already experienced the performance level of nonprofessional incompetence of the state agency, DSHS. If the LPC Board had not had the independent regulatory power the incompetence that we have seen with DSHS would have gone unnoticed.

Any Alternative or New Recommendations on This Agency:
Solutions:

Number one solution is keeping the public safe. And, by doing so is keeping all the Mental Health Boards as boards and not as Advisory Committees. And, not under the agency that controls occupation and trade. And FIX, DSHS, it is broken and it is not run correctly in our opinion. It is top heavy with management and needs more staff.

Realize the LPC and other Mental Health Licensing entities must be put somewhere. Several suggestions: Put all the Mental Health Boards together under one umbrella – a professional licensing agency; Put together under one agency as professional mental health licenses but not under occupational licenses; leave under DSHS but separate the Mental Health Licensing Division. These suggestions would also include reducing the number of non-critical personnel.

Each of the Licenses is unique and the Rules for each one have to be different.

Before the 2003 restructuring took place the staff was accountable to the LPC Board's Executive Director. With this efficient structure, the state would save hours and money and not need the layers and layers of bureaucratic upper management. In other words, efficient and cost effective.

This is more taking control away from the citizens/professionals who understand this profession and giving it over to "big government". Our goal in Texas is to give the citizens control over the things they understand better than big government understands.

Changing the board from an independent board to an advisory committee will prove to not protect the public.

Glynda Corley, LPC/S
Texas State Board of Licensed Professional Counselor - Board Chair

Brenda "Brandi" Buckner, PhD, LPC/S
Texas State Board of Licensed Professional Counselor - Board Vice Chair

My Comment Will Be Made Public: I agree