



TEXAS COUNSELING ASSOCIATION

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Testimony by Katherine Bacon, PhD, LPC-Supervisor

Texas Sunset Advisory Commission

Staff Report: Texas State Board of Examiners of Professional Counselors

April 25, 2018

My name is Dr. Katherine Bacon. I am testifying on behalf of the Texas Counseling Association, a non-profit membership organization of almost 7000 professional counselors in an array of work settings across Texas. Thank you for this opportunity and for your service to the state. In consideration of your valuable time, TCA has asked our members to submit written comments but also asked that they limit their public testimony at this hearing.

As a mental health counselor, I advocate for those who don't have a strong voice in this state. Our work is private, difficult, and so very meaningful for our clients. As the TCA volunteer liaison to the Texas State Board of Examiners of Professional Counselors, I have been attending LPC Board and Committee meetings for at least seven years. In this role, I observe the diligent efforts of the Board to manage regulation of the more than 25,000 Licensed Professional Counselors in Texas without an adequate infrastructure to support their work. It is for this reason that TCA supports the staff recommendation to create the Behavioral Health Executive Council to house all the behavioral health licensing boards. That said, we strongly encourage you to modify the staff proposal so that both a professional member and a public member be appointed to the Executive Council from each licensing board.

There are more than 60,000 licensed behavioral health professionals in Texas. Many of them are dually licensed, that is they hold more than one mental health professional license. This is just one reason that placing each of our licensing boards under the umbrella of the Texas Behavioral Health Executive Council makes perfect sense.

This model allows each licensing board to develop substantive rules on standards of care, licensure, educational requirements and disciplinary guidelines for their respective professions. Including professionals as voting members on the Executive Council will help insure that neither the Executive Council nor any mental health licensing board can impose standards or modify the scope of practice for any other profession.

The Behavioral Health Executive Council, with representation from the public and professional members of each board, will allow for consistency in administration for all our boards. It will create a one-stop shop for those who hold dual licenses. It will make it easy for the public to know where to go to find a licensed mental health professional or to file a complaint against one.

The Sunset review identified challenges in the operations of all the mental health licensing boards, including the psychology board. These challenges are more acute for those boards currently housed at HHSC. Those boards do not even have a line item or strategy in the state budget. Less than 1/3 of the fees paid by LPCs are appropriated to support the LPC Board. Staff shortages and the low priority of regulation within the HHSC mission also contribute to the challenge of being an effective and efficient board.

Texas is facing a huge mental health professional workforce shortage. We can't afford to waste any more time in creating a system that will expedite licensure and complaint resolutions as well as create a cohesive system of regulation for all mental health professionals.

Please take the recommendation of the Sunset Committee staff tweaked slightly to address the need for professional members on BHEC as well as the recommendations of the stakeholders who have collaborated and worked so hard, for so long to propose a true solution to the currently poorly organized administrative processes that just don't serve the public.

Thank you for your consideration.

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Monday, April 09, 2018 4:54:39 PM

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

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Monday, April 09, 2018 4:37 PM
To: Sunset Advisory Commission
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS STATE BOARD EXAMINERS PROFESSIONAL COUNSELORS

First Name: Katherine

Last Name: Bacon

Title:

Organization you are affiliated with: Texas Counseling Association

Email:

City: Houston

State: Texas

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

As a mental health professional and supervisor, I see first hand the impact of the administrative attachment of the TSBEPC, TSBEMFT and TSBSWE to HHSC and how that administrative attachment continues to impair the functioning of these programs. The long delays in processing licensure paperwork impedes the employment opportunities of Texans and the mental health service delivery to Texans who need and deserve to receive services.

A consolidated agency structure offers distinct advantages to the current behavioral health regulatory system. The Behavioral Health Executive Council (BHEC) will leverage the benefits of consolidation without sacrificing the quality, independence, accessibility and accountability of the four behavioral health licensing boards. In addition, this collaborative effort allows BHEC to realize economies of scale in the areas of information technology, human resources and staff training while fostering a spirit of cooperation to achieve regulatory best practices, protect the public, and better serve their respective constituencies.

I disagree with the Sunset Staff recommendation for the BHEC composition and authority.

Any Alternative or New Recommendations on This Agency: I recommend that BHEC be structured as proposed during the last Sunset Review to include one professional and one public member appointed by each board with the presiding officer, a public member, appointed by the Governor. The inclusion of one professional member from each of the respective licensing boards helps to ensure that professional expertise is reflected in BHEC's decisions. This model has proven to be very effective for other regulatory entities such as the Occupational Therapy and Physical Therapy Executive Council.

My Comment Will Be Made Public: I agree