

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Tuesday, November 15, 2016 3:36:27 PM

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From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Tuesday, November 15, 2016 3:36 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: Jennifer

Last Name: Boswell

Title:

Organization you are affiliated with:

Email:

City: Richmond

State: Texas

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

I appreciate the work done by the Sunset Commission staff on their review of the Texas State Board of Examiners of Professional Counselors. In the report, it was clear the Sunset staff did a thorough job in reviewing the current budgetary restraints, board responsibilities and tasks, and overall concerns and issues about the function of the board in licensing professional counselors in Texas while also protecting Texas residents when seeking mental health services.

After reviewing the report, I have two concerns regarding the Sunset Commission's recommendation to consolidate of the Texas State Board of Examiners of Professional Counselors under the Texas Department of Licensure and Regulation. My first concern is that allowing the LPC Board to come under TDLR as an advisory board puts the public at risk. TDLR board members are not trained in any the mental health professions and therefore could cause significant harm by enacting rules, regulations, training and education specifications, and judgements that go against professional guidelines and ethics. Only those trained in mental health should be allowed to make regulations, ethical codes, and educational requirements for professional counselors. It is a dangerous proposition to allow members of other non-mental health boards to make these decisions as they will directly impact the care mental health clients receive. As such, I believe it is important that the LPC Board remain an autonomous licensing board with the ability to regulate the counseling profession in Texas. Members of the LPC board are trained mental health professionals and are aware of current trends and regulatory concerns needing to be addressed within the profession.

Second, in addition to my recommendation that the LPC Board remains an autonomous regulatory body, it is clear that much of the funding for the LPC board has been greatly reduced over time and, as such, causes strain and a significant backlog in the processing of licenses, renewals, ethical complaints, and any questions members of the profession might have for the Board. The Sunset report suggests that the LPC Board takes in roughly \$1.5 million dollars annually in licensing and other fees from counseling professionals across the state. The LPC Board has an annual agency cost of \$612, 801. I am greatly concerned that much of the funding that is brought in by the licensing

fees paid by myself, my LPC-Interns, and my colleagues is not used by the LPC Board. I've had several LPC Interns wait 6+ months for a decision to be made on their LPC-Intern application due to staffing shortages within the Board as there is no budget to hire additional staff support. This causes a ripple effect throughout the profession and in the counseling services provided. These new professionals are not able to become licensed in a timely fashion and therefore are missing out on vital employment opportunities that would provide direct access and care to clients in need. The limited amount of funding received by the LPC Board, and its subsequent staff and resource shortages, hurts all clients, especially those in mental health shortage areas in Texas. In my opinion, this is a misuse of funding by the state as most, if not all, funding brought in by a licensing board should be used for what it is intended.

Therefore, I oppose the Sunset Commission's recommendation to move the LPC Board to an advisory status within TDLR. I believe many of the issues noted in the Sunset report can be corrected by fully funding, and therefore staffing, the LPC Board so that it can meet its responsibilities. I strongly encourage the Sunset Commission staff require DSHS to allow the licensing fees obtained by the LPC Board be used to fully staff and effectively run the LPC Board in order to best serve the public and regulate the profession. I also encourage the Sunset Commission to consider the long-term consequences to the safety of the public and the state of mental health services in Texas if the LPC Board should be moved to TDLR. My recommendation would be to continue to allow the LPC Board to autonomously regulate the counseling profession in Texas.

Any Alternative or New Recommendations on This Agency: I believe the LPC Board should continue to regulate and oversee the counseling profession as an autonomous board and should also be given full funding from DSHS in order to appropriately staff the board which will reduce many of the problems identified in the report.

My Comment Will Be Made Public: I agree