

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Wednesday, December 07, 2016 8:05:43 AM

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

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Tuesday, December 06, 2016 10:25 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: Lacey

Last Name: Clare

Title: BA

Organization you are affiliated with: SMU

Email:

City: Plano

State: Texas

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

To the Honorable Members of the Texas Sunset Commission I am writing to request your support in maintaining the Texas State Board of Examiners of Professional Counselors (TSBEPC) which has served as the authorized regulatory body overseeing licensed professional counselors since 1981. There are more than 3,000 licensed professionals providing mental health services to Texans- children, adolescents, adults, couples, and families. The oversight of such specific, highly skilled professionals is best left to other professionals who also possess that expertise TSBEPC is more than self-sustaining as almost one and one-half million dollars are collected annually with about \$500,000 budgeted for actual TSBEPC costs, and almost one million dollars swept for the General Fund at the end of each fiscal year. Please do not support the critical findings and harsh recommendations from the Sunset staff review; professional oversight of qualified, highly trained LPCs are best regulated under the present system with autonomy and discretion remaining with the appointed board composed of professional and public members.

The TSBEPC operates as an independent agency under the jurisdiction of Texas Department of State Health Services. Similar to other mental health boards, TSBEPC is charged with protecting the health and safety of the public by overseeing applicants and their qualifications, regulating and updating rules and statutes that mandate the standard of care, establishing academic standards, ensuring competent and ethical practitioners, setting and enforcing standards for continuing education, and efficiently managing the vital functions inherent in a licensing and regulatory body. Other mental health professionals (Licensed Marriage and Family Therapists, Social Workers, and Psychologists) operate under similar organization.

Sincerely,
Lacey Clare

Any Alternative or New Recommendations on This Agency:

These gubernatorial appointed members volunteer their time and service, and complaints against the system could be allayed through an increase in the number of state employees who staff TSBEPC. It is my contention that many

of the complaints regarding processing time could be addressed by an increase in state staff, paid through fees generated by the TSBEP. The proposed relocation of TSBEP under TDLR is not appropriate due to the highly specialized services provided by professionals who were licensed only after receiving a graduate degree (48-60 hr. program) with an additional 3,000 supervised contact hours after a master's degree was awarded.

Additionally, enforcement and discipline for ethics violations is a highly nuanced process with a need for the fine distinction required for determining appropriate sanctions. Again, this is best left to professionals who are knowledgeable in this field. Placing jurisdiction over LPC applications, licensure, rules, and violations as the responsibility of untrained staff or public appointees who are "advisors" would have serious consequences for protecting the public, culpability and possible fiscal liability, and the professional standing of clinicians in a state where mental health services are already difficult to obtain in some areas of the state.

Changes and improvements can be made, but efficiency can be obtained much less drastically by increasing the number of staff to process applicants, complaints, and other necessary paperwork. Please consider these facts as you deliberate on the Sunset staff recommendations, and keep TSBEP and other mental health regulatory boards under DSHS. The mental health needs of Texans are no less important than their physical health.

My Comment Will Be Made Public: I agree

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Monday, November 21, 2016 8:21:06 AM

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

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Friday, November 18, 2016 10:55 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: Lacey

Last Name: Clare

Title: BA

Organization you are affiliated with: SMU

Email:

City: Plano

State: Texas

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

I am writing to encourage the legislature to continue the autonomous regulation of the licensed professional counselors, marriage and family counselors, and social workers in the State of Texas. I strongly oppose the recommendation to relegate the Texas State Board of Examiners of Professional Counselors and the other mental health professional licensing boards to advisory status under the Texas Department of Licensing and Regulation (TDLR). The oversight of mental health professionals is well beyond the scope of the TDLR. None of the occupations regulated by TDLR work with fragile individuals struggling to overcome devastating psycho, social, emotional and physical challenges. I cannot conceive how a move to TDLR will resolve access to care or regulatory challenges.

It is my contention that the problems associated with untimely responses to complaints and back logs of administrative responsibilities at the board is a result of under-funding. As a Licensed Professional Counselor I expect that the fees I pay as a professional will go to the board tasked with overseeing our profession. It is my understanding that those funds generated are allocated to the state. As the number of professional counselors, marriage and family therapists and social workers increase in the state of Texas so should the budget allocation and personnel charged with regulating our profession. The solution to these problems is to allocate the licensing fee revenue directly to support the regulatory functions for the Texas State Board of Examiners of Professional Counselors.

It is my viewpoint that TDLR is not equipped to regulate mental and behavioral health professionals. Expanding the scope of TDLR beyond its mission is likely to adversely impact consumer protection across all the industries it regulates and risk its efficiency.

Any Alternative or New Recommendations on This Agency: I strongly encourage you to retain the structure and autonomy of the Texas State Board of Examiners of Professional Counselors as well as the TSBEMFT and the TSBESW but fund them appropriately so they can fulfill their regulatory responsibilities. The administrative staff is

simply overwhelmed by the volume of administrative tasks associated with regulating mental health licenses in Texas. Setting and enforcing clear, ethical training and practice standards for mental health professionals can only be accomplished by professionally specialized and independent licensing boards. The best practice to protect consumers is to have independent, professionally specialized boards with public members to regulate mental health care.

My Comment Will Be Made Public: I agree