

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
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-----Original Message-----

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Sunday, November 20, 2016 12:16 PM
To: Sunset Advisory Commission
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS STATE BOARD EXAMINERS PSYCHOLOGISTS

First Name: Baron

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Title: Clinical Psychologist

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State: Texas

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

SUPPORT ISSUE #1: The Oral Exam was a good practice 3-4 decades ago, but it is now an obsolete practice that unduly delays entry into the profession to new market competitors, a restriction imposed and maintained by market incumbents, who are the only ones that benefit from this unnecessary hurdle.

Even the medical community is getting rid of their version of this requirement nationwide "Step-2 Exam." It is time Texas consumers are protected from over-regulation that only benefits the private interests of market incumbents.

SUPPORT ISSUE #2: Post-doctoral supervised programs/experiences are a good thing, and will continue to exist for those individuals who want to specialize in a specific area, this should be an optional career progression and not a State mandate for entry-level professionals.

Before the 1980's psychology students would go to doctoral school/program first, then completed their supervised training after their program, but things have changed significantly. Today, the average number of pre-doctoral supervised hours, before the doctoral internship is now in the range of 2,000–2,500 hours (Alden et al., 2000; Clay, 2011). When added to the 2,000 supervised hours typically required in the doctoral internship (Dittmann, 2004), this amounts to approximately 2 full years, the same amount APA's Model Act for State Licensure of Psychologists currently posits as the minimum requirement for licensure (American Psychological Association, 2011).

Because the average number of expected hours exceeds those recommended by national conferences by approximately 50%, Ko and Rodolfa (2005) suggested that the number of practicum hours has replaced the real issue of students obtaining professional competence. In terms of competence, there is little evidence to support the idea that increasing the quantity of hours increases one's performance abilities (Beutler & Kendall, 1995; Bickman, 1999; Dyck & O'Donovan, 2003).

The Board's main concern should be protection of Texas constituents, but the Board and the TPA lobby seem more

interested in maintaining its incentives and their ability to work in other states. If I can document my post-doctoral experience independently to 'increase my mobility', why does the Board require me to have this experience to become licensed?

...and at the expense of the State's small businesses' development.

Board Member Jeff Baker CEO of APPIC, an organization generating millions of dollars as brokers for internship and post-doctoral nationwide, clearly has a personal financial incentive for maintaining this outdated requirement in our State. It is uncertain how a public official with this financial conflict of interest, is charged with regulating the market of psychology, despite current state laws prohibiting such practices and personal incentives.

Overall, the Board and TPA are protecting their private financial interests and NOT the needs of the public, which should not be done at the burden of the State of Texas.

SUPPORT ISSUE #3: The American Psychological Association Model Licensing Act

(2006) recommended the elimination of postdoctoral training as a requirement for licensure and allowed for appropriate and qualifying hours accrued during pre-doctoral training or those from postdoctoral training to fulfill the 2 years of supervised experience needed for licensure. Since inception of the APA Licensing Model in 2006, 15 states have incorporated such a change into law (Clay, 2011) to adjust to changes in the profession. Texas should remain a proactive state in the market of psychology and created rule that are in the best interest of its constituents, NOT the Boards and TPA's turf and pride.

SUPPORT ISSUE #4: Consolidation will prevent the aforementioned anti-competitive practices from happening in the first place. These self-serving requirements by the Psychology Board will continue to put legal, financial, and administrative burdens on the State of Texas, open to the preventable anti-trust litigation as noted in *Teladoc v. Texas Medical Board* (2015), and *North Carolina State Board of Dental Examiners v. Federal Trade Commission* (2015).

SUPPORT ISSUE #5

References:

Boon, A. T., Lutz, D. J., & Marburger, K. M. (2015). Eliminating Postdoctoral Training as a Requirement for Licensure: Perceptions and Anticipated Impacts.

Professional Psychology: Research & Practice, 46(1), 62-69.

doi:10.1037/a0038198

North Carolina State Board of Dental Examiners v. Federal Trade Commission No. 15-534, 547 U.S

Teladoc v. Texas Medical Board, Dist. Court, WD Texas 2015

Any Alternative or New Recommendations on This Agency:

While the State of Texas has the BEST, Occupational Licensing Law in the nation for Military and Veterans, the Board has figured out a way to make it another hurdle for qualified members to obtain a license. For example, I am a combat veteran, trained to become a psychologist while in the reserves. I am a licensed psychologist in Alabama and Wisconsin, with about three years of supervised experiences, credentialed with privileges in the federal government. I work with about a 100 Texans at a Veteran Affairs Hospital every month.

But for the Texas Psychology Board, I am considered a threat to the public, and to get license in this State. They would only credit one year of experience, and require to get a "provisional license," requiring unnecessary supervision (which will benefit the supervisor financially), wait about 6-months for an oral exam, which I have taken 2 times, elsewhere and wait another 3-4 months to receive the license in the mail.

I recommended a clear Military/Veteran Occupational License Clause, so that the Board provides direct reciprocity to any military, veteran licensed in any state, here in the great State of Texas. There is something morally wrong when Board enact rules that merely protect their turf, and NOT the needs of the public, ignoring state laws intended to promote equal protection of the law for our military and veterans.

My Comment Will Be Made Public: I agree