

Association of State and Provincial Psychology Boards

Serving member jurisdictions by promoting excellence in
regulation and advancing public protection.

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December 5, 2016

Via Electronic Mail to **sunset@sunset.texas.gov**

The Honorable Larry Gonzales, Chair
Sunset Advisory Commission
P.O. Box 13066
Austin, Texas 78711

Dear Committee Members:

I am writing to you on behalf of the Association of State and Provincial Psychology Boards (ASPPB) to express the strong concern of our Association to the proposed legislative action that would eliminate the Texas State Board of Examiners of Psychologists as a separate regulatory body and consolidate its functions with other behavioral health boards. ASPPB is the association of all psychology regulatory boards throughout the United States and Canada. In general we applaud efforts to create efficiencies in state and provincial government, as long as these efforts do not compromise the consumer protection function of these boards. However, in our experience, efforts in other states to reduce the number of professional regulatory boards in order to produce cost savings or simplify the process for consumers of professional services have shown that neither of these goals is likely to be attained by the consolidation of mental health boards. Rather the most likely result is only a weakening of the consumer protection afforded by a strong psychology regulatory board. Two states (i.e. Colorado and New Hampshire) that have "experimented" with consolidated mental health boards after having separate psychology licensing boards for decades have both reversed this decision and returned to separate psychology licensing boards. In the case of New Hampshire, this change happened in the 2012 legislative session and an independent psychology regulatory board is operating currently. One of the main reasons for restoring the psychology licensing board as a separate entity in New Hampshire was a series of high profile discipline cases that were mishandled by the consolidated mental health board that garnered negative press coverage about the inadequate state of professional regulation of mental health professions in New Hampshire.

The consolidation recommendation in Texas like the proposals in other states in recent years that ultimately were not adopted (e.g. Rhode Island, Louisiana, Washington) would add psychology to a very large and diverse consolidated board. While this may seem reasonable and appropriate at first glance, the fact is psychology is the only doctoral level profession in the behavioral

health arena and as such should be treated like the other doctoral level health professions such as medicine, dentistry and pharmacy. The typical course of training in psychology requires 6 to 8 years of post undergraduate education. The doctoral training must include two years of closely supervised clinical experience plus a doctoral dissertation that insures a scientific expertise required to operate from an evidentiary rather than merely experiential base. Licensed psychologists are both practitioners and scientists who can use their knowledge of the clinical research to select assessment tools and treatment approaches appropriate for the most complex mental health cases. While psychologists often work in teams with other health and mental health professionals, a psychologist's level of knowledge and expertise resulting from their advanced and extensive training means they often function as directors and supervisors of these teams. The breadth and depth of knowledge and expertise required to function as a professional psychologist today requires this advanced level of training and experience. The regulation of such a doctoral level profession is similarly complex since the extensive nature of training and the complex cases that may come before the board in a discipline complaint require a regulatory system knowledgeable about the breadth of the profession.

Since 1961, ASPPB has existed to support the consumer protection functions afforded by psychology regulatory boards throughout North America. ASPPB developed and still provides the Examination for Professional Practice in Psychology (EPPP) the objective licensing exam used by every psychology licensing board in the United States and Canada. In addition, ASPPB developed and maintains the Disciplinary Data System, which is an on-line searchable database of all disciplinary actions taken against licensed psychologists that also serves to protect the public from incompetent or unethical practitioners. ASPPB also provides model language for licensing legislation and rules that seek to help regulatory boards avoid the mistakes and omissions that have been experienced by boards in other jurisdictions. In short, ASPPB is dedicated to making psychology regulation efficient, effective and focused on protecting the consumer of psychological services by assisting its member boards to adopt the best practices in the field of credentialing and regulation.

In its over 50 year history, ASPPB has had experience with some jurisdictions attempting to streamline state government, create efficiencies of scale or save state revenues by consolidating independent psychology boards into large consolidated agencies. In our experience, these efforts have typically resulted in both little savings to the taxpayers and less effective regulation of the professions involved. This unfortunate outcome from an otherwise worthy goal seems to result from the fact that large consolidated boards are confusing to the consumers of mental health services who already have great difficulty understanding the differences between psychologists, psychiatrists, counselors and social workers. Consolidated boards make taking disciplinary action against a practitioner more difficult because typically a single representative of each discipline must understand and represent all aspects of that profession. Psychology is a diverse profession encompassing practice with a vast array of populations (e.g. children, adolescents, adults, older adults), with a broad range of problems from counseling through normal developmental crises to treatment for substance abuse, pain management, major emotional disorders like depression and many more conditions. These populations and problems of living and behaving are also addressed in a variety of work settings including public and private hospitals, public schools, community mental health centers, veterans hospitals, juvenile justice centers, in-patient psychiatric facilities, college counseling centers and private offices. This diversity of services and settings where those services are provided, present huge challenges to those seeking to regulate the profession and protect the public from incompetent or impaired professionals.

In addition, the Texas State Board of Examiners of Psychologists has been a leader among psychology

regulatory boards throughout North America. The Texas board has long supported innovative efforts to remove barriers to licensure for recent graduates and to facilitate professional mobility for qualified professionals. Representatives of the Texas board have been active participants in the psychology regulatory community by commenting on list serve discussions, responding to ASPPB requests for information of interest to other jurisdictions and attending several recent ASPPB conferences and meetings.

In sum, it would be a great loss to the citizens of Texas and the profession of psychology to consolidate the Texas board with the Texas Department of Licensing and Regulation. We urge you to share this opinion from the national association of psychology regulatory boards with other key legislators and relevant committees as this proposed legislation is being debated. This plan to consolidate professional regulatory boards would increase consumer confusion in identifying competent psychologists, inappropriately place providers with divergent functions under one licensing board, and would not result in any true cost savings or greater efficiency. Having witnessed attempts to implement such consolidation in other states, we urge you to engage in much further study of the many unintended negatives that can derive from such a plan.

Thank you for the opportunity to comment on this matter. Please feel free to contact me if you desire any further information about our experiences with such consolidation efforts. ASPPB would be happy to assist you in exploring all aspects of this legislation before the proposal is acted on further.

Sincerely,

A handwritten signature in black ink that reads "Stephen T. DeMers". The signature is written in a cursive, flowing style.

Stephen T. DeMers, Ed.D.
Chief Executive Officer