

December 5, 2016

Re: Texas Sunset Advisory Commission Staff Report – Texas State Board of Examiners of Psychologists

Dear Honorable Sunset Advisory Commission Member:

I am a psychologist living in Austin, Texas. I have been licensed in Texas as a psychologist since 1990. The majority of my professional psychological experience has been in a not for profit agency and as a police psychologist. Because I believe I have a responsibility to do all that I can to ensure that the practice of psychology in Texas meets the highest standards of care, I am taking this opportunity to address the recommendations of the Sunset Advisory Commission staff regarding the Texas State Board of Examiners of Psychologists.

The Sunset Advisory Commission's staff report noted the following:

1. The Board's Oral Examination is an Unnecessary Requirement for Licensure
2. Requiring a Year of Post-Doctoral Supervision is an Unnecessary Hurdle to Licensure, Potentially Contributing to the Mental Health Care Provider Shortage in Texas
3. Key Elements of the Board's Licensing and Regulatory Functions Do Not Conform to Common Licensing Standards
4. Texas Should Continue Regulating Psychologists, but Decisions on the Structure of the Texas State board of Examiners of Psychologists Await Further Review
5. A Recent Court Decision Opens the Door to unlicensed Practice of Psychology

Regarding Issue #1, I believe that the Oral Examination protects the public by adding a final assessment of professional competency prior to independent practice.

The Oral Examination facilitates the Board's gatekeeping responsibility to ensure a competent workforce of psychologists in Texas. The Oral Examination requires the candidate to demonstrate competency through the medium of face to face communication. Psychologists must be able to effectively integrate the field's body of knowledge with their clinical experience and utilize this integration in effective interpersonal communication with their clients. The Oral Examination is the only means available to the Board to determine a candidate's competency in this vital area of psychological practice. Oral Board Examiners are able to probe a candidate's ability to handle potentially dangerous client behaviors and to determine that a candidate is aware of clinical, ethical and legal issues that such behaviors may present. Reportedly, an inability to adequately address dangerousness is the leading cause of Oral Examination failure in Texas. Failed applicants are then able to remediate this deficit prior to re-taking the examination and beginning independent practice. For these reasons, I believe the Oral Examination is an important procedure for ensuring the competency of the psychology workforce in Texas.

Regarding Issue #2, I believe that the year of supervised Post-Doctoral experience also protects the public. Further, this additional year of training does not contribute to the current mental health care provider shortage in Texas.

The supervised year of Post-Doctoral experience also ensure the competency of psychologists to practice independently. The applicant's previous clinical experiences, practicum and internship placements, are designed to be training experiences with the clinical supervisor monitoring the difficulty of clinical cases and providing close supervision. The Post-Doctoral year is real life work experience but with available consultation and supervision as needed, thereby bridging the psychologist's transition from trainee to independent practitioner.

The Post-Doctoral year does not hinder a psychologist's ability to enter the workforce in Texas since the passage of H.B. 808 in 2013. Postdoctoral fellows are now able to bill for services they provide while under the supervision of a licensed psychologist.

Regarding Issue #3, I agree with the Sunset staff recommendations for TSBEP to bring their operations within model standards.

Regarding Issue #4, I strongly believe that the Texas Board of Examiners of Psychologists Should Remain Independent.

Psychology is a doctoral level profession with a number of specializations, each with an extensive body of professional research and practice guidelines. Because it is so highly specialized, an independent board is needed to maintain the quality and standards of care for the practice of psychology in Texas.

Regarding Issue #5, I agree that we need to work on a better definition for the practice of Psychology in Texas that includes the ability and right to diagnose.

TSBEP has begun work on a statutory definition of what constitutes the practice of psychology. Proposed changes to the Psychology Practice Act include acknowledging the ability of psychologists to diagnose and treat as part of the legal scope of practice. Psychologists are trained to diagnose and to base treatment plans on that diagnosis. Psychological testing is done primarily to render a diagnosis in order to facilitate treatment planning and answer questions that determine appropriate treatment alternatives. Other mental health professionals, including psychiatrists, depend upon psychologists for assistance in rendering a diagnosis.

It is important that the definition of psychologist include the ability to diagnose in light of a recent court ruling prohibiting another mental health provider group in Texas from diagnosing. Psychologists must diagnose in order to bill insurance. Guaranteeing the ability to diagnose for psychologists ensures continuity of care for current clients of psychological services as well as ensuring that the mental health workforce is not seriously limited in the future. The ability to diagnose is a fundamental part of the services that the profession of psychology provides and should be included in the definition.

Thank you for the opportunity to provide comments on the Sunset review process for TSBEP. If you have any questions or need further information, please contact me at _____ or _____

Respectfully submitted,

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Licensed Psychologist