

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Sunset Review of the Texas State Board of Examiners of Marriage and Family Therapists, Texas State Board of Examiners of Professional Counselors, and Texas State Board of Social Worker Examiners
Date: Thursday, November 03, 2016 11:27:53 AM

From: Marina Ginn
Sent: Thursday, November 03, 2016 11:19 AM
To: Sunset Advisory Commission; Ken Martin
Subject: Re: Sunset Review of the Texas State Board of Examiners of Marriage and Family Therapists, Texas State Board of Examiners of Professional Counselors, and Texas State Board of Social Worker Examiners

Hi Mr. Levine,

The following is an issue I feel should be taken into consideration by the sunset commission. I am a member of the Texas Association for Children and Families, a nonprofit group focusing on family court corruption in Texas. We have assisted many families who were victimized by Licensed Professional Counselors in Texas in a racketeering scheme. We assisted these families in presenting hard evidence of serious misconduct that should have resulted in disciplinary action. It has come to our attention that the licensing board dismissed those complaints based on a bylaw that states that if an LPC was working with a child involved in a family court case, they waive jurisdiction of the complaint and the bylaw states that this is because the Judge should have been presented with the misconduct.

This bylaw is problematic because: Judges do not have authority to take action against the license of a professional, or strip them of their license. So, it is not appropriate for the licensing board to have enacted this bylaw. Another reason this is problematic is that all of the family law attorneys we have collaborated with have explained to us that one of the LPC's that currently has SEVEN active complaints (many more have been filed and dismissed on this jurisdiction technicality), has a husband who is close friends and active fundraisers for the very judges that your bylaw states should have jurisdiction and, the family law attorneys we have consulted with have explained that it is very unreasonable for the board to expect the individuals to present these issues to the judges as the judges often punish the parents when they try to complain about any professionals. Judges are not equipped to act as de facto licensing boards on all of their cases, nor have the judges been notified or trained that the state of Texas has placed this onerous burden upon them.

We would like to request that we be provided with all information about when this bylaw was enacted and the information provided that caused the board to create this bylaw. Was the change made with public notice and invitation for public comment? When was this policy created? Please provide us with any information that went into the decision, as we have grave concerns that it was the racketeers themselves who may have been behind getting the board to create this unreasonable bylaw that has caused many children to be left in harm's way.

Our second concern is that the complaints appear to be 2 years or more behind and we are told it could be years before action is taken on the seven current pending complaints we have organized on one provider. Our evidence points to particularly egregious violations that leave many children in harm's way, and we feel that a years long wait to investigate serious misconduct is unreasonable.

I am interested in attending your meeting December 8th and 9th. Please let me know if you are able to present these concerns to the commission in advance, and if not, what else you might need from me in order to do so.

Sincerely,
Marina Ginn

On Thu, Nov 3, 2016 at 8:57 AM, Sunset Commission <Sunset@sunset.texas.gov> wrote:
November 3, 2016

Dear Recipient:

The Sunset Staff Report on the Texas State Board of Examiners of Marriage and Family Therapists, Texas State Board of Examiners of Professional Counselors, and Texas State Board of Social Worker Examiners, as submitted to the Sunset Advisory Commission, is available for your review on our website, www.sunset.texas.gov. To request a hard copy of this report, contact our office. The Sunset Commission has scheduled a public hearing on this report for December 8 and 9, 2016. At that time public testimony will be taken. An agenda specifying the meeting time, location, and the order of agencies scheduled for discussion will be available on our website as soon as the meeting has been posted. You may follow announcements by the Sunset Commission on social media through information posted on our website.

If you would like to comment on this report, the commission would appreciate hearing from you. Your feedback would be most helpful if it includes the following elements:

- your position in support or opposition for each recommendation in the staff report;
- a clear, brief statement of suggested changes, if any, to these recommendations; and
- a clear, concise summary of any new issues or recommendations not included in the report that you would like the Sunset Commission to consider.

If you submit your response by Wednesday, November 16, we can provide this information to the Sunset Commission members before the public hearing. Comments received in response to a staff report are considered public records, and will be posted on the Sunset website and released to the public upon request.

Thank you for your assistance with the Sunset review process.

Ken Levine
Director
Sunset Advisory Commission

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