

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Monday, April 09, 2018 4:01:07 PM

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

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Monday, April 09, 2018 3:01 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: Brenda a

Last Name: Henning

Title: LPC

Organization you are affiliated with: The Being Place, PLLC

Email: brenda@thebeingplace.net

City: Katy

State: Texas

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

Streamlining and avoiding duplication of efforts is commendable. As you are considering the impact of this matter, please be cognizant of the consistency you have with other licensing boards and including licensed professionals as part of the structure.

Please consider that BHEC be structured as proposed during the last Sunset Review to include one professional and one public member appointed by each board with the presiding officer, a public member, appointed by the Governor. This structure will effectively address concerns involving the protection of the state's immunity from restraint of trade claims and will also protect against any anti-competitive rulemaking from the independent boards. Each of the four behavioral health boards would have full rulemaking authority over scope of practice, qualifications and training. BHEC would have authority to review and approve or reject rules as offered by the independent licensure boards to ensure they are consistent with statutes, are not anti-competitive, do not result in restraint of trade, or cause monopoly concerns. Inclusion of one professional member from each of the respective licensing boards helps to ensure that professional expertise is reflected in BHEC's decisions.

This model has proven to be very effective for other regulatory entities such as the Occupational Therapy and Physical Therapy Executive Council.

Any Alternative or New Recommendations on This Agency: NA

My Comment Will Be Made Public: I agree