

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Wednesday, November 16, 2016 4:50:04 PM

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From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Wednesday, November 16, 2016 4:32 PM
To: Sunset Advisory Commission
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS STATE BOARD SOCIAL WORKER EXAMINERS

First Name: LUCIA

Last Name: LEO-DIAZ

Title: LCSW, BCD, BOARD APPROVED CLINICAL SUPERVISOR

Organization you are affiliated with: NASW TX (PRESIDENT) , AMERICAN BOARD OF EXAMINERS IN CLINICAL SOCIAL WORK (BOARD MEMBER)

Email:

City: Mission

State: Texas

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

As a seasoned Licensed Clinical Social Worker and Board Approved Clinical Supervisor, I am very concerned about the proposed recommendations to our Board of Social Worker Examiners by the Sunset Commission. While I agree various changes are needed to improve the overall efficiency and checks and balances of our current licensing boards, the TDLR does not have the professional expertise to properly administer the Board. This is especially true in regards to rulemaking and complaint resolution. It is too early (only one month) to conclude that the recent transfer of 13 other "health professions" boards have proven to be successful.

Combining these boards would not serve to protect the public, as the codes for each respective board are very different. In reference to the current complaint resolution process, I agree that it is ridiculously lengthy, not strict enough and needs some immediate changes. Staff should be empowered to conduct an initial complaint review and determine if it meets criteria for further review. If it does, there should be a specific time limit for investigation and resolution of complaints in the licensing rules and regulations. However, the Board must remain representative of licensed professional Social Workers to provide professional expertise in rule development, rule changes and implementation. The Board must be empowered to hear complaints, rule on those complaints, and decide the disciplinary actions to be taken. We cannot strip them of this authority.

We all agree our current office is not user-friendly to social workers requesting assistance/clarification/direction. The staff is overworked, understaffed and unsupported due to the current resource allocations. Of the \$1.2 million collected in 2015 by the Board in fees, less than \$400,000 went to administer the staff of the Board. Instead, the bulk of the money went to the General Revenue Fund. We need to re-invest in our Board/office, in order to improve access, efficiency, customer service and accountability as a regulatory licensing board.

In deciding what agency will be overseeing the Social Work Licensing Board, it is imperative that the agency

possess the necessary public health, social work, and mental health expertise to fully understand the scope of professional practice issues and ensure that Texas has a properly educated and trained workforce. We cannot compare apples to oranges by comparing the regulation of helping professionals to that of other regulated occupations including plumbers and vocational technicians. All professional regulatory agencies must collect and analyze data on their professionals as a means of planning for future workforce needs, as well as to measure the effectiveness of the licensure activities. This is another area lacking at DSHS due to current staffing ratios and low funding/resource issues.

The fact that the current Executive Director of our Social Work Board of Examiners is NOT a social worker speaks volumes. This is due to the extremely low salary being offered for such a high profile social work managerial level staff position in charge of the licensing board... Yet another example of poor management and budget allocation decisions affecting our state licensing board.

In closing, I wish to reiterate my deep concerns regarding the current functioning of the Board of Social Worker Examiners and the changes needed to ensure we continue to regulate and manage our licensing board ethically and effectively. These changes are imperative to better serve not only our professional social workers but just as importantly, the needs of the individuals we have been entrusted to care for and represent. We continue to utilize and rely on our Social Work Code of Conduct and Code of Ethics as our moral compass. Thank you.

Any Alternative or New Recommendations on This Agency:

- v 1. Do not abolish the boards' complaints and ethics committees.
- v 2. Ensure board members are not involved in complaint investigations.
- v 3. Do not make the boards advisory, they must be independent.
- v 4. No temporary or other surcharges in fees for moving the board to TDLR; licensees did not ask for this nor should they be made to pay for a change they did not initiate or request.
- v 5. All boards must remain free standing, no consolidation as there are too many differences.
- v 6. Develop a matrix for guiding disciplinary action.
- v 7. Utilize a settlement process to resolve complaints before the hearing process.
- v 8. The board must have more money to operate effectively.

My Comment Will Be Made Public: I agree