

From: [Sunset Advisory Commission](#)
To: [Cecelia Hartley](#)
Subject: FW: Comments Sunset Commission Healthcare Consolidation to TDRL Proposal
Date: Tuesday, November 29, 2016 1:45:18 PM

From: Tim Lyons
Sent: Tuesday, November 29, 2016 1:12 PM
To: Sunset Advisory Commission
Subject: Comments Sunset Commission Healthcare Consolidation to TDRL Proposal

Sunset Commission...

As a physical therapist for over 34 years and involved in the clinical, business and regulatory aspect of our professional for over 20 years, I am well educated and experienced in taking a position in **OPPOSITION** to consolidation of the TBPTE under the TDRL.

It is my recommendation that the TBPTE be maintained as an independent agency.

As a business owner and practicing physical therapist in rural East Texas, public protection (the main responsibility for licensing agencies) is of utmost importance. As noted in the Consolidation report, ineffective licensing agencies can, and do, put our public at risk. However, the TBPTE is NOT an effective agency. Data exhibits it has been one of the most effective licensing agencies in Texas. Page 5 of the consolidation recommendations provides Key Problems Shared by Small Health Licensing Boards. Of identified key problems, the most important ones (slow complaint resolution, ineffective complaint prioritization/resolution, and unnecessary barriers to licensure) have not been identified as an issue for TBPTE. And I would challenge the identification of cost due to lack of economies of scale. The most recent data exhibits the cost of the TBPTE per licensee as \$32 while the cost of the TDRL per licensee is \$44. The remaining identified issues (limited or no background checks and lacking consistency in penalties) can, in some cases, be already being handled by the TPBPTE. I am unable to address the issue related to staff turnover. However, data has shown that this turnover has NOT effected the efficiency and effectiveness of the agency. My business experience has shown staff turnover is not resolved by a bigger business...it only amplifies the issue.

I have personally been involved in the TBPTE investigative process, both through filing a complaint and being investigated. On both occasions, the process was well organized, fact based and efficient. Additionally, the customer service and

communications from agency staff was impeccable. Going through an investigative process is very apprehensive for those involved. Appropriate communications is a key element in appropriate and effective resolution.

In reviewing the list of agencies currently under the TDLR, it should be noted that NONE of the agencies are responsible for doctorally prepared professionals with an established code of ethics under which we are required to practice. It would be impossible for commissioners with no background or training in the profession to effectively make decisions regarding such a profession that are in the best interests of the public.

Lastly, I am dismayed at the lack of transparency utilized with the Sunset Review process. I have been involved in previous Sunset reviews and am significantly disappointed in the political leveraging utilized during this review. It is common knowledge the Sunset staff recommended continuation of the TBPTE as an independent agency. My discussion with several Sunset Committee members also exhibited their surprise when one individual tabled the recommendation to foster consolidation of the TBPTE under the TDLR. Political maneuvering has never produced the best results for our society, only for individual interests.

The best protection for society is to leave a well established, effectively functioning agency in place with recommendations on how to continue to improve the services and protection provided to the community.

Respectfully Submitted

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