

**From:** [Sunset Advisory Commission](#)  
**To:** [Janet Wood](#)  
**Subject:** FW: Public Input Form for Agencies Under Review (Public/After Publication)  
**Date:** Tuesday, May 01, 2018 3:31:24 PM

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

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]  
Sent: Tuesday, May 01, 2018 3:25 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: Kathleen

Last Name: Mills

Title: LPC-S, CEAP CEO

Organization you are affiliated with: Life Tree Counseling Center Inc

Email: [kathleen@lifetreecounseling.com](mailto:kathleen@lifetreecounseling.com)

City: Addison

State: Texas

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

It is my belief that there is overwhelming number of Texas private sector clinicians who are opposed to the formation of an unknown, start-up called BHEC. BHEC seems to be designed to continue self governance and self independence for 3 mental health boards who have not demonstrated 12 years of consistent, good faith performance to the citizens of Texas.

Interns and soon to be fully licensed clinicians cannot monetarily or professionally afford to “rock the boat” with their testimony while waiting for their full licensure status to be granted. Nor, can licensees who are in the 949 day complaint process, share their thoughts.

1. In the Health Professional Annual 2017 report, the Texas LPC board had a 10% reduction in the average length of time to resolve one complaint. The average number of days for a jurisdictional complaint decreased from 1034 days in 2016, to 949 days in 2017. Does this 10% reduction rate, justify the LPC board, their own start-up entity while keeping its independent status?
2. The number of filed complaints for LPC's in 2017 increased, substantially.
3. It is no secret, that the board fails to follow through on its original decision reached at the complaint hearing. This often leaves “Joe Citizen” losing his justified complaint to the state, nor, is “Joe” informed of the specifics of the board's final resolution during the informal conference settlement.
4. The licensee's “affordable” malpractice/liability insurance does not cover most of the complaint process, if any. The cost is born solely by the licensee. The longer the wait, the more legal expense is incurred.
5. The LPC Board only meets 3 times per year. Their rules currently do not allow full resolution of anything, until the board meets and whenever it gets on the docket. How will BHEC, address this?  
The 3 FTE's, Sunset has preliminary granted with the proposed start-up of BHEC (should it be passed), is only designed to process paperwork to the 1071 files, currently in backlog mode. The 2 year position of the 3 FTE's will not have the authority to resolve complaints as per board rules.

6. Texas Counseling Association seems to be in support of the continuance of the failed boards independence structure, which could appear to be in conflict with the majority of their private sector business members.
7. On the other hand, Texas Psychologist Association (7900 members, total) is very opposed to being a part of an independent council called BHEC, due to a myriad of valid reasons sited during their testimony.

Any Alternative or New Recommendations on This Agency:

TDLR is already in place and their track record seems exemplary. Each board would retain its “autonomy” from the other mental health boards. The only difference is they would be placed in an advisory role. Since the governor appoints a volunteer and unpaid board, that meets only 3 time per year, why wouldn’t this be a win-win situation? They might be best served being in an advisory/consultant position.

TDLR, already has the infrastructure that the supporters of BHEC is demanding Texas “recreate”.

What is in the best interest of Texas? A new government start-up which will be organized my the same failed team? Or, TDLR, where the stats are undeniably consistent?

I think the private sector clinicians would appreciate a quicker resolve and new leadership, so they can concentrate on running their businesses. Thank you for your time.

I cast my vote for TDLR.

Thank you for your time and effort into helping decide how Texas can do do better for its both its citizens and the professionals who serve faithfully.

Kathleen Mills, LPC-S, CEAP, CEO.

My Comment Will Be Made Public: I agree



[www.lifetreecounseling.com](http://www.lifetreecounseling.com)

Kathleen Mills, LPC-S, CEAP, CEO  
14679 Midway Road  
Suite 200  
Addison, Texas 75001

My name is Kathleen Mills, Licensed Professional Counselor and Supervisor for 27 years, and an 8-year, "Board Survivor". I'd like to share with you why I think I'm uniquely qualified to be here today. 8 years ago I filed an ethics complaint against a colleague who was promoting an unethical business situation.

Doing the right thing resulted in the filing of (7) retaliatory complaints, (1) criminal charge against me for assault, (1) civil suit, (67) insurance audits, the 6-figure depletion of my entire savings, the loss of my home, *and* any item of any value within it. I also lost an estimated (\$25k-\$50k) in business income, and a lot of sleep. All (7) of the complaints were dropped, as were both legal issues resolved, and none of the audits turned up anything. I never recovered any of the well over \$125,000 I had to spend defending myself.

I wish it had never happened but IF, the Board had done its job the way things are supposed to work, two things would have been very different:

1. My entire ordeal would have been over in (6) months. ***Instead it lasted almost 5 YEARS.***

2. The (1) person responsible for initiating the entire episode might have had her license revoked, might have been placed firmly on the wall of shame, to keep her from doing this again, to someone else.

What happened to the licensee?

Nothing. No permit revocation. No probated suspension. Nothing. Maybe a simple letter put in an envelope, but no wall of shame. She continues to practice.

To the larger problem, I see only (3) solution options on the table:

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DSHS - First, one has only to read the Sunset reports to dispel any idea that DSHS deserves anything other than to have their doors shut immediately. A **dismal** track record.

INDEPENDENT GOVERNANCE – Second, self-governance with its, *self-accountability*, is exactly the environment desired by special interest groups and their hand-picked board members. Do we really think spending a million dollars building BHEC, to give those with a 12-year track-record of failure a second 12-year opportunity to further their private agendas with public money is a good idea? **NO** track record at all here, in BHEC.

TDLR – And finally, TDLR looks to be the only potential solution on the table that offers any hope of cleaning up the mess that DSHS, the board members, and special interest groups have collaboratively created. TDLR's track record is **exemplary**.

I'm not writing this today to settle up some personal vendetta, that's water under the bridge. What I AM here for, is to make sure things change so that what has happened to me and many others, doesn't happen to anyone else. HOW we've been operating, and WHO we've had doing it isn't working. What we need to do is clean house and hire the best manager we can find to run this team.

I cast my vote for TDLR.  
Thank you for listening.

Kathleen Mills, LPC-S, CEAP, CEO  
[www.practicementors.us](http://www.practicementors.us)  
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**From:** [Sunset Advisory Commission](#)  
**To:** [Janet Wood](#)  
**Subject:** FW: Public Input Form for Agencies Under Review (Public/After Publication)  
**Date:** Wednesday, April 11, 2018 2:32:07 PM

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

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]  
Sent: Wednesday, April 11, 2018 1:51 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: Kathleen

Last Name: Mills

Title: Life Tree Counseling Center Inc

Organization you are affiliated with: Life Tree Counseling Center Inc

Email: [kathleen@lifetreecounseling.com](mailto:kathleen@lifetreecounseling.com)

City: Addison

State: Texas

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

My name is Kathleen Mills, Licensed Professional Counselor - Supervisor for the past 27 years, and victim of the boards lax processes, procedures, and lack of accountability, for the past 8 years. More on that in a moment.

**THE PROBLEM(S)**

The problems currently being suffered by the citizens of TX, the counselor licensees over whom these boards rule, and the would-be next generation of counselors whom cannot obtain their papers in a timely fashion, are all clearly stated and documented in the SC's well-written reports, and so I will not attempt to repeat those dismal performance numbers.

I will say, however, that I firmly believe that at the root of the problems we're discussing during this Deliberation Phase, are the wrong people working in the wrong system. The numbers themselves indicate that. Good people perhaps, but lacking the skills needed to fully staff an operation. Those same numbers further indicate that the current board simply isn't getting the job done.

**AFFECTED POPULATIONS: REAL PAIN**

I WOULD like to highlight the real-life pain and outcomes that their performance has wrought on the affected populations, and offer my thoughts on the available solutions.

Counselors: I have (1) graduate (Intern pending) approaching her 1 year "Big Wait" anniversary. We've been told it'll be scheduled at the October

2018 board meeting before she'll get a hearing, because no one has time to read the class description of a class she took in another state, and render a judgment as to whether that class will count towards her (whatever it is).

This is just (1) example of the overall attitude of the staff charged.

with looking after the citizens of TX and the counselors they govern.

There are also many Interns frustrated with having to wait 4-6 months and more to get their full license after having submitted a flawless application.

The Public: There are currently between 5 - 800 TX citizens, each of whom has waited an average of 949 days to have a fair, quick hearing regarding the complaint they filed. Some of those complaints will be determined to be without merit but that does NOT mitigate the fact that a TX citizen cannot currently expect their state mental health boards to provide the support and protection that they have been promised.

Any Alternative or New Recommendations on This Agency:

#### SOLUTIONS

Let's talk about the potential solutions for just a moment.

DSHS-One has only to read the SC reports to dispel any idea that DSHS deserves anything other than to have their doors shut immediately. Their track record is abysmal and shows no demonstrable signs of meaningful improvement, especially in the last year.

Independent Governance-Now is not the time to give those whom have demonstrated the highest levels of fiscal and fiduciary incompetence, and offered the lowest level of public self-accountability, an even longer leash through this form of self-management. Independent self-governance is not the solution.

BHEC-We don't need yet another new government agency to give special interest groups, and board members that have long failed us all in such dramatic and (couldn't care less) fashion, yet another chance at constructing their private agendas with public money, at the public's expense.

TDLR- TDLR is the only potential solution on the table, the only one, with a positive track record; the only one that offers any hope of cleaning up the mess that DSHS and the board members, and special interest groups have collaboratively created.

#### MY STORY

8 years ago I filed my one and only ethics complaint against a colleague who was promoting a clearly unethical business situation. That resulted in the retaliation filing of (7) complaints, (1) criminal charge against me for assault, (1) civil suit, (67) insurance audits, the 6-figure depletion of my entire savings, the loss of my home and any item of any value within it. I also lost an estimated (\$25k-\$50k) in business income, and a lot of sleep.

Ultimately all (7) of the complaints were dropped, as were both legal issues resolved, and none of the audits turned up anything. I never recovered any of the well over \$125,000 I had to spend defending myself during this 4 year nightmare.

I wish it had never happened but IF, ...IF, the Board had done its job the way things are supposed to work, two things would have been very different:

- 1) my entire ordeal would have been over in (6) months. Instead it lasted almost 5 YEARS. And,
- 2) the (1) person responsible for initiating the entire episode might have had her license revoked, might have been placed firmly on the wall of shame, to keep her from doing this again, to someone else.

What happened to her?

Nothing. No license revocation. No probation. Perhaps a simple letter put in an envelope, but no wall of shame. She's currently practicing right now.

#### SUMMARY

I'm not writing this today to settle up some personal vendetta, that's water under the bridge.

What I AM here for, is to make sure things change so that what has happened to me, and many others, doesn't happen to anyone else.

HOW we've been operating, and WHO we've had doing it isn't working.

What we need to do is clean house and hire the best manager we can find to run this team.

I cast my vote for TDLR. Nothing more, nothing less.

Thank you for listening.

My Comment Will Be Made Public: I agree