

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Friday, April 06, 2018 11:05:44 AM

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

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Friday, April 06, 2018 10:58 AM
To: Sunset Advisory Commission
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS STATE BOARD EXAMINERS PROFESSIONAL COUNSELORS

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

Issue 1: The Structure of the State's Behavioral Health Licensing Agencies is Antiquated and Inefficient. Overall, we agree with the Sunset Commission staff finding in Issue 1 to consolidate the four behavioral health boards into a single agency – the Behavioral Health Executive Council.

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• I also support transitioning the administrative structure of the Texas State Board of Examiners of Psychologists to transform an existing agency focused on one profession into an agency that incorporates all four of the behavioral health professions currently under Sunset Review.

• I disagree with the Sunset Staff recommendation for the Behavioral Health Executive Council composition and authority and recommend 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 promulgated by the independent licensure boards to ensure they are consistent with statutes, are not anticompetitive, 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.

Issue 2: Key Elements of the Behavioral Health Boards' Statutes, Rules and Policies Do Not Conform to Common Licensing Standards Overall, I agree with the Sunset Commission staff finding that the behavioral health licensing boards need to continue to address processes around criminal background checks and the reporting of outside disciplinary data. We also support efforts to ensure that qualifications for licensure be reasonable and objective.

Issue 6: Although Issue 6 specifically addresses the Psychology Interjurisdictional Compact, each of the behavioral health professions undergoing Sunset review has portability challenges. This Sunset review presents an opportunity to explore strategies to address those challenges for all behavioral health professionals.

Any Alternative or New Recommendations on This Agency: See above

My Comment Will Be Made Public: I agree