

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Tuesday, April 10, 2018 8:04:00 AM

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From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Monday, April 09, 2018 6:45 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: Donna

Last Name: Rose

Title: Donna Rose MA LPC

Organization you are affiliated with: Donna Rose MA LPC

Email:

City: Austin

State: Texas

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

I am a licensed professional counselor of the State of Texas in good standing since 2004. I support the conclusions and recommendations of the Texas Counseling Association as fair and representative of my stance on these important matters affecting the mental health of Texans and its professional mental health providers, in tandem. I hope you will take my comments below into consideration as an affected stakeholder with many of my colleagues sharing my concerns.

Generally, I agree that positive progress with identified issues has been made by the boards, but the current structure which includes the attachment of the multiple professional mental health boards to a larger body creates its own problems and does not support adequate resolution of these problems.

I strongly agree that this dysfunctional model threatens the ability to practice effectively for the benefit of Texans and puts Texans at increased risk of harm.

Please adopt the TCA recommendation to “consolidate agency structure in order to align regulation of the behavioral health professional and bring proper attention and oversight” they need to the benefit of both licensees and protection of behavioral health care consumers alike.

I also disagree, in accord with the TCA that the executive council should be “composed of one public member appointed by each of the four boards and an independent presiding officer appointed by the governor.” Instead, I agree with the recommendation that the “structure of BHEC as proposed during the last Sunset Review which include one professional and one public member appointed by each board, with the presiding officer appointed by the Governor,” be adopted. I agree that the behavioral health regulatory boards currently housed at HHSC working collaboratively and that “including professional members on BHEC is more likely to enhance consistency in standards than interference on standards of practice, licensing and enforcement decisions since no profession would hold a majority on BHEC.”

I further agree with the TCA Comments that the structure of the State’s behavioral health licensing agencies is “antiquated and inefficient” and also generally agree with the Sunset Commission staff finding to consolidate the

four behavioral health boards into a single agency – the Behavioral Health Executive Council. I agree that “A consolidated agency structure offers many advantages to the current behavioral health regulatory system.”

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 agree with TCA’s 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, a structure that 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.”

I strongly agree that inclusion of one professional member from each of the respective licensing boards is imperative to "ensure that professional expertise is reflected in BHEC’s decisions." Finally, 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."

Any Alternative or New Recommendations on This Agency:

See above comment in which my recommendations are made, in agreement with the Texas Counseling Association's recommendations.

Thank you for you inclusive deliberation of this important matter affecting the health of Texas residents and the professions of thousands of professionals devoted to assisting Texan's with mental health needs.

My Comment Will Be Made Public: I agree