

**From:** [Sunset Advisory Commission](#)  
**To:** [Janet Wood](#)  
**Subject:** FW: Public Input Form for Agencies Under Review (Public/After Publication)  
**Date:** Tuesday, April 10, 2018 5:20:31 PM

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

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]  
Sent: Tuesday, April 10, 2018 5:19 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: Teri Ann

Last Name: Sartor

Title: Licensed Professional Counselor-Supervisor and Counselor Educator

Organization you are affiliated with:

Email:

City: Kingwood

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or  
Opposed:  
Issue 1:

As a Licensed Professional Counselor-Supervisor and a Counselor Educator in the State of Texas, I would like to thank the Sunset Commission Staff for their hard work and efforts. I agree with the staff report in that “the boards are acting in good faith and have made notable strides in addressing the previously identified problems” and that “significant problems and challenges cannot be resolved with the current structure.” Thus, I am also in agreement that the administrative attachment of the professional counseling, marriage and family therapy, and social work boards being held under such a large agency is not working and “the dysfunction created by such a model places the livelihoods of licensees in jeopardy and puts the public at risk.”

As a professional counselor and counselor educator in the State of Texas, I support the staff recommendation to form a consolidated agency structure of the “Behavioral Health Executive Council” which will have the authority for the TSBEP, TSBEMFT, TSBSWE and TSBEP. I agree that “this is the best approach to align the regulation of these behavioral health professions and evaluate the attention and oversight of these programs.” Additionally, as stated in the report, this will allow for the “more efficient and effective regulation of these professions will not only provide improved services and increased responsiveness to licensees but will also better protect behavioral health care consumers.” With the mental health care provider shortage across the state and growing mental health needs of consumers, these areas are of particular importance to ensure quality and efficient services are available to all individuals who reside or seek to reside in the great State of Texas.

I disagree with the composition and authority pertaining to the recommendation for the Behavioral Health Executive Council. Being a professional counselor and counselor educator, I recommend the council be structured as proposed during the prior review. The last proposed structure included one professional and one public member appointed by each board with a presiding officer, a public member appointed by the Governor. This type of structure will

effectively address concerns related to the protection of the state's immunity from restraint of trade claims and will protect against anti-competitive rulemaking from the independent licensing boards. Thus, each of the four behavioral health boards will have full rule-making authority pertaining to their scope of practice, qualifications, and training requirements. Proceeding with the recommendation as stated in the prior sunset report will also help address the concerns relating to issue 6 in the current report. Thus, allowing the independent licensing boards to have authority will allow for them to ensure rules and regulations are current with mental health professional standards and will allow for further portability of licensure for all behavioral health boards. It is important to remember professional members bring expertise, thus if the professional members are serving in "ex officio" roles as stated in the current Sunset Commission Staff recommendation report this expertise will be lost, and the public may again be put at risk due to the possibility of less informed decision making as a result of the composition.

Issue 2:

As a professional counselor and counselor educator, I agree with the Sunset Commission report that behavioral health licensing boards need to continue to address the processes pertaining to criminal background checks and the reporting of outside data which may be disciplinary in nature. Additionally, in efforts to address the mental health provider shortage in Texas, I also support efforts to ensure qualifications for licensure are reasonable and objective with respect to the standards of the profession. Thus, the allowance of adequately trained mental health professionals to enter the behavioral mental health field is seen as another safeguard in protecting the public. The current board rules of the advanced degree and the supervision requirements are consistent with other state's requirements to become a licensed professional in mental health.

Any Alternative or New Recommendations on This Agency: I support the creation of the Behavioral Health Executive Council; however, it should be structured as stated in the previous recommendation report. Thus, the professional members who serve on the executive council should be utilized in an official capacity as a result of being seen as an expert in the field of mental health. If the current recommendation is followed and professional members are "ex officio" their expert knowledge, training, and skills may not be put to good use and the public may be put at risk.

My Comment Will Be Made Public: I agree