

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Tuesday, December 06, 2016 5:27:06 PM

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From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Tuesday, December 06, 2016 5:25 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: Teri

Last Name: Sartor

Title: Licensed Professional Counselor

Organization you are affiliated with:

Email:

City: Texarkana

State: Texas

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

The recommendation to move the Texas State Board of Examiners of Professional Counselors (TSBEPC) under the jurisdiction of the Texas Department of Licensing and Regulatory (TDLR) Services and change them to advisory boards is opposed. The TSBEPC should remain an autonomous board due to the knowledge and experience required to monitor professional counselors. The professional members of the board have the knowledge base and experience related to the mental health and treatment types, thus they have the ability to better provide over site. As stated in the report, these mental health professionals “treat vulnerable clients who suffer from mental health disorders or impairments” and “apply a considerable amount of judgment in the services they provide,” this is precisely the reason mental health boards need to remain intact and have the decision making authority. The TDLR had no experience in managing boards or professionals who specifically deal with severe mental issues or impairments. Moving the board under the TDLR and making them advisory boards would do a disservice to the public.

The recommendation to abolish the complaints and ethics committees is opposed. When unethical or unprofessional conduct is identified, it is important for the mental health professional to be evaluated by other members of their profession to ensure appropriate, consistent, and standardized sanctions are be enforced. The sunset report's criticism of the public hearing process needs to be re-examined. When a license holder is called before the board (after due process) they are provided the opportunity to learn from their mistakes along with other licensees or trainees in the audience. This learning is done through open discussions with public and professional board members who continuously address the ethical rules, violations, and concern for the public throughout the discussion process.

These public hearings are often attended by current license holders, future license holders, and sometimes complainants; the current format allows attendees to learn trends and themes in ethical violations, changes in rules and regulations, and counseling based best practices in the State of Texas.

This is a standard practice in the health care industry.

Any Alternative or New Recommendations on This Agency:

Many of the recommendations by the sunset committee seem to be related to the lack of funding received by the boards to function effectively. Currently the TSBEP, LMFT and Social Work boards function on approximately one-third of the funds they bring in through licensing and administrative fees. The amount used is allocated by the legislator. As a result of the lack of funding allocated to the boards they are placed under hardships related to staffing shortages which lead to backlogs in processing paperwork and resolving complaints. Should the legislator allocate the majority or all of the funds back to the boards, they would be able to better function and ensure the processes are handled quickly. Most importantly, by the legislator allocating more funding back to the boards, most of the issues identified in the report would be moot.

Because the current boards (TSBEP, LMFT, SW) are knowledgeable about mental health and related statutes and practices many of the improvements suggested in the report can be integrated into the current systems. For example, the board can require new (and current) licensees to submit fingerprints in their initial licensing and renewal paperwork then conduct the continuous background checks at the renewal date as suggested in the report. In short, much to the suggestions for improving the boards function can be incorporated into the existing system.

Additionally, an alternative option would also transforming the existing psychology agency into an agency to house all mental health boards in a way that is cost effective and allows the boards to remain autonomous.

My Comment Will Be Made Public: I agree