

From: [Sunset Advisory Commission](#)
To: [Cecelia Hartley](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Tuesday, November 22, 2016 8:54:41 AM

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

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Tuesday, November 22, 2016 8:07 AM
To: Sunset Advisory Commission
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: HEALTH LICENSING CONSOLIDATION PROJECT

First Name: Sarah

Last Name: Whitworth

Title: Occupational Therapist/Certified Hand Therapist

Organization you are affiliated with: Texoma Medical Center

Email:

City: Denison

State: Texas

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

I am OPPOSED to ECPTOTE and TBOTE being placed under the Texas Department of Licensing and Regulation of Health Professions.

Regarding the issue of the board being controlled by members of the licensed profession and not qualifying for state action immunity and potentially facing suits for anti-trust violations, this concern does not apply to ECPTOTE.

Since its creation in 1993, ECPTOTE has included more public members on the board than professional members.

Regarding requiring existing licensees and applicants to undergo a finger print background check, TBOTE was advised by their assigned counsel from the Office of the Attorney General that they would need statutory authority to require fingerprinting. In their Self Evaluation Report, TBOTE, requested the Sunset Commission recommend a change to the practice act to allow for fingerprinting. This was included in the Staff report as Issue 3.3 and adopted by the Commission on 8/22/16.

Regarding applying best practices for the time needed to issue a license, currently on average TBOTE issues a license in 2.54 days. The report indicates the Texas Department of Licensing and Regulation (TDRL) issues a license in 10 days.

Regarding the time require to resolve a complaint, currently on average TBOTE resolves complaints in 118 days (less than 4 months). TDLR resolves a complaint in seven months.

Regarding the prioritization of high-risk complaint, TBOTE addresses all complaints immediately. The TBOTE senior investigator is responsible for further prioritizing cases by degree of seriousness of the offense.

Regarding the exposure of confidential health information during the complaint process, TBOTE assigns all cases a case number. No personal data is shared.

Regarding turnover posing a high risk to agency functions, TBOTE's OT Coordinator of 14 years retired in 2014, but was replaced by an equally qualified individual. The staffing change was well-planned and well-executed and did not create any risk to licensees or the public that the agency is created to protect. There is no reason to think any future retirements or resignations will not be handled in a similarly professional manner.

Regarding the inefficiency of small agencies, TBOTE shares resources with other boards through the Health Professions Council.

Any Alternative or New Recommendations on This Agency: Leave ECPTOTE and TBOTE as is with no changes

My Comment Will Be Made Public: I agree