

Decision Meeting Material

November 14, 2018

Texas State Board of Public Accountancy

Texas State Library and Archives Commission

Texas Funeral Service Commission

School Land Board

Veterans' Land Board

Texas Board of Professional Geoscientists

TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY

Issue 1

The Board's Contracting Processes Do Not Meet State Standards and Expectations. (Page 9)

Change in Statute

Rec. 1.1 (Page 14)

Require the board to seek approval from the office of the attorney general for all outside counsel contracts.

Management Action

Rec. 1.2 (Page 15)

Direct the board to develop a formal, agencywide contract development and solicitation process for its professional services contracts.

Rec. 1.3 (Page 16)

Direct the board to develop a contracting improvement process.

Issue 2

Key Elements of the Board's Statute and Procedures Do Not Conform to Common Regulatory Standards. (Page 19)

Change in Statute

Rec. 2.1 (Page 25)

Require the board to conduct fingerprint-based criminal background checks of all licensure applicants and licensees, phased in over a two-year period.

Chairman Birdwell Proposed Modification

Modify Recommendation 2.1 to exempt licensees on 'retired' status from having to receive a fingerprint-based criminal background check, unless they decide to resume their practice with an active license.

Senator Nichols Proposed Modification

Modify Recommendation 2.1 to exempt licensees on 'retired' status from the fingerprint-based criminal background check requirement.

Rec. 2.2 (Page 25)

Remove subjective licensure provisions for CPAs and non-CPA firm owners.

Rec. 2.3 (Page 25)

Remove requirement for annual license renewal for CPA firms.

Rec. 2.4 (Page 25)

Remove unnecessary licensure and continuing education provisions for non-CPA firm owners.

Vice Chair Paddie Proposed Modification

Modify Recommendation 2.4 to require the resident manager be a licensed CPA who is responsible for a firm's license. This change would clarify that a firm's internal management would be left to the discretion of the firm's owners, provided that CPAs continue to supervise accountancy work regulated by the board.

Rec. 2.5 (Page 25)

Clarify the board's injunctive authority to align with other regulatory agencies.

Management Action

Rec. 2.6 (Page 26)

Direct the board to comply with statute directing rules and procedures for military service members, veterans, and military spouses.

Chairman Birdwell Proposed Modification

Modify Recommendation 2.6 to change the date the board is directed to adopt rules and procedures to accommodate military service members, veterans, and military spouses from June 1, 2019 to March 1, 2019.

Rec. 2.7 (Page 26)

Direct the board to remove unnecessary application requirements for candidates to take the CPA exam.

Rec. 2.8 (Page 26)

Direct the board to accept online submission of exam applications.

Rec. 2.9 (Page 26)

Direct the board to eliminate rules and policies requiring notarized information.

Rec. 2.10 (Page 26)

Direct the board to amend its peer review rules to account for risk posed to the public.

Rec. 2.11 *(Page 27)*

Direct the board to update its complaint policies and procedures.

Chairman Birdwell Proposed Modification

Modify Recommendation 2.11 to change the date the board is directed to update its complaint policies and procedures from September 1, 2019 to March 1, 2019.

Rec. 2.12 *(Page 27)*

Direct the board to develop rules on administrative costs assessed on respondents.

Issue 3

The State Has a Continuing Need to Regulate Accountancy. (Page 29)

Change in Statute

Rec. 3.1 *(Page 34)*

Continue the Texas State Board of Public Accountancy for 12 years.

Rec. 3.2 *(Page 34)*

Adjust the board's composition to consist of eight public members and seven certified public accountants.

Chairman Birdwell Proposed Modification

Replace Recommendation 3.2 with a management action to have the Sunset Commission request that the Legislature examine all state boards, including the Texas State Board of Public Accountancy, for any legislation needed to mitigate the potential liability of boards controlled by active market participants.
(Management action – nonstatutory)

Rec. 3.3 *(Page 34)*

Update the standard across-the-board requirements related to board member training and complaints system.

Rec. 3.4 *(Page 34)*

Continue the board's SDSI and scholarship reporting requirements but repeal the requirement on statistical analysis of complaints.

Rec. 3.5 *(Page 34)*

Update the agency's statute to reflect the requirements of the person-first respectful language initiative.

Management Action

Rec. 3.6 *(Page 35)*

Direct the board to revise its rules to facilitate public comment.

Senator Watson Proposed Modification

Modify Recommendation 3.6 to statutorily require the board to include public testimony as an agenda item at every regular board meeting. The board should clearly provide the public the opportunity to comment on each agenda item and any other under the board's jurisdiction aside from ongoing enforcement cases. The modification also requires the board to remove from its rules the 20-day requirement to post comment at board meetings.

Proposed New Recommendation

Senator Nichols Proposed New Recommendation 1

Statutorily authorize the board to impose the attorneys' fees incurred by the board in taking a disciplinary action on a license holder found to have violated the Public Accountancy Act or board rules. This recommendation would also authorize the district court to award the board attorneys' fees if it prevails in an appeal.

TEXAS STATE LIBRARY AND ARCHIVES COMMISSION

Issue 1

TSLAC Does Not Strategically Manage the State Archives to Maximize Access to Texas' History. (Page 9)

Change in Statute

Rec. 1.1 (Page 14)

Require TSLAC to develop a strategic plan for managing the state archives, with targets for processing the backlog, analyzing staffing needs, and regularly reporting on progress.

Rec. 1.2 (Page 14)

Authorize TSLAC to distinguish between different types of information requests to better manage archives workload.

Management Action

Rec. 1.3 (Page 14)

Direct TSLAC to adopt a fee schedule for PIA requests.

Issue 2

TSLAC's Records Management Program Needs Refocusing to Ensure Effective Handling of State and Local Documents. (Page 17)

Change in Statute

Rec. 2.1 (Page 22)

Clarify the process for waiving confidentiality protections on legislative records when legislators leave office.

Rec. 2.2 (Page 22)

Clarify the process for legislators to store legislative records at approved institutions outside the state archives.

Rec. 2.3 (Page 23)

Discontinue the unnecessary requirement for TSLAC to approve local government records retention schedules, while keeping general state requirements and support for local government records management.

Rec. 2.4 (Page 23)

Authorize TSLAC to transfer custody of certain local records to local institutions, as appropriate and mutually agreed upon.

Management Action

Rec. 2.5 (Page 23)

Direct TSLAC to create a working group for legislative records issues.

Rec. 2.6 (Page 24)

Direct TSLAC to gather customer input and regularly update the minimum state records retention schedule.

Chairman Birdwell Proposed Modification

Modify Recommendation 2.6 by changing the date the agency is directed to update and adopt a new minimum records retention schedule from September 1, 2020 to September 1, 2019.

Issue 3

TSLAC's Grant Program Needs Improvements to Increase Transparency and Fairness. (Page 25)

Management Action

Rec. 3.1 (Page 27)

Direct TSLAC to prohibit grant reviewers from applying for grants in the same categories they score.

Rec. 3.2 (Page 27)

Direct TSLAC to openly solicit peer grant reviewers.

Rec. 3.3 (Page 28)

Direct TSLAC to adjust grant award criteria and scoring to better disperse grant funding to a wider pool of libraries.

Issue 4

The State Has a Continuing Need for the Texas State Library and Archives Commission. (Page 29)

Change in Statute

Rec. 4.1 (Page 32)

Continue the Texas State Library and Archives Commission for 12 years.

Rec. 4.2 (Page 32)

Update the standard across-the-board requirement related to commission member training.

Chairman Birdwell Proposed Modification

Modify Recommendation 4.2 to require each Texas State Library and Archives Commission member to attest to receiving and reviewing the training manual annually.

Rec. 4.3 (Page 32)

Authorize the commission to establish advisory committees in rule as needed.

Proposed New Recommendations

Chairman Birdwell Proposed New Recommendation 1

Direct TSLAC to work with Texas Historical Commission, Texas State Preservation Board, Texas Parks and Wildlife Department, and the General Land Office to explore options for new curatorial space at TSLAC's Shoal Creek location. (Management action – nonstatutory)

Senator Buckingham Proposed New Recommendation 2

Statutorily authorize TSLAC to use general revenue, grant funds, gift funds, and federal funding, if permitted, to advertise the agency's programs.

Senator Buckingham Proposed New Recommendation 3

Statutorily authorize TSLAC to sell replicas of archival materials held in the state archives and approved for sale by the commission. Specify funds received from such sales must be used for preservation, digitization, archives information services, and education operations. Also specify proceeds received from the sale of replicas shall be deposited in the state treasury to the credit of TSLAC.

Senator Buckingham Proposed New Recommendation 4

Direct TSLAC to identify and coordinate with other state agencies to promote the agency's grant programs to increase participation among libraries across the state. (Management action – nonstatutory)

Senator Watson Proposed New Recommendation 5

Statutorily authorize TSLAC to advertise the agency's services and develop educational materials for the public and for sale.

TEXAS FUNERAL SERVICE COMMISSION

Issue 1

The Agency's Enforcement Processes Cannot Ensure Fair Treatment of Licensees and Complainants. (Page 11)

Change in Statute

Rec. 1.1 (Page 15)

Require the MOU between TFSC and DSHS to include sanitation standards for funeral homes and death care businesses.

Senator Watson Proposed Modification

Change the recommendation from a statutory change to a management action. (Management action – nonstatutory)

Rec. 1.2 (Page 15)

Authorize TFSC to order refunds to consumers.

Rec. 1.3 (Page 15)

Authorize the agency to use injunctive relief through the attorney general for unlicensed activity.

Senator Watson Proposed Modification

Modify Recommendation 1.3 to provide the agency clear statutory authority to take disciplinary action against a licensed funeral establishment, commercial embalming facility, or crematory that assists or allows an individual to engage in unlicensed activity, including practicing funeral directing or embalming without a license.

Management Action

Rec. 1.4 (Page 15)

Direct the agency to establish a risk-based, biennial approach to inspections.

Chairman Birdwell Proposed Modification

In lieu of Recommendation 1.4, change the current statutory requirement that licensed funeral establishments and crematories be inspected once every two years to once every three years, and as a management action, direct the agency to establish a risk-based approach to inspections.

Rec. 1.5 *(Page 16)*

Direct the agency to adopt rules for informal settlement conferences.

Rec. 1.6 *(Page 16)*

Direct the agency to provide more detailed disciplinary information on its website.

Rec. 1.7 *(Page 16)*

Direct the agency to maintain complainants' confidentiality when possible.

Chairman Birdwell Proposed Modification

Modify Recommendation 1.7 to also make complaints and other investigative information confidential and exempt from public disclosure in statute, but not final enforcement actions such as agreed orders.

Rec. 1.8 *(Page 16)*

Direct the agency and DSHS to coordinate access to death certificate information for investigations.

Issue 2

Key Elements of the Agency's Licensing Functions Do Not Conform to Common Standards. (Page 19)

Change in Statute

Rec. 2.1 *(Page 23)*

Authorize TFSC to determine the criteria for preparation room exemptions.

Rec. 2.2 *(Page 23)*

Authorize TFSC to set license terms in rule.

Rec. 2.3 *(Page 23)*

Remove outdated and unused licensure qualifications.

Rec. 2.4 *(Page 23)*

Provide TFSC general fee-setting authority to fully recover its costs.

Management Action

Rec. 2.5 *(Page 23)*

Direct TFSC to eliminate unnecessary notarization requirements.

Rec. 2.6 *(Page 24)*

Direct the agency to accept all license applications and fee payments online.

Rec. 2.7 *(Page 24)*

Direct the agency to make the consumer brochure freely available to licensees online.

Rec. 2.8 *(Page 24)*

Direct TFSC to develop standard procedures for evaluating experience for military service members, military veterans, and military spouses.

Rec. 2.9 *(Page 24)*

Direct TFSC to review and evaluate continuing education courses.

Issue 3

The Agency's Regulation of Cemeteries Is Not Necessary to Protect the Public.
(Page 27)

Change in Statute

Rec. 3.1 *(Page 29)*

Discontinue TFSC's regulation of non-perpetual care cemeteries.

Rec. 3.2 *(Page 29)*

Replace the member of the TFSC commission who must be a cemetery owner or operator with a public member.

Vice Chair Paddie Proposed Modification

Modify Recommendation 3.2 to replace the member of the TFSC commission who must be a cemetery owner or operator with a crematory owner or operator.

Senator Buckingham Proposed Modification

Modify Recommendation 3.2 to replace the member of the TFSC commission who must be a cemetery owner or operator with a crematory owner or operator.

Senator Nichols Proposed Modification

Modify Recommendation 3.2 to replace the member of the TFSC commission who must be a cemetery owner or operator with a crematory owner or operator.

Management Action

Rec. 3.3 (Page 30)

Direct the agency to discontinue its involvement in mediating private cemetery access disputes.

Issue 4

Texas Has a Continuing Need for the Texas Funeral Service Commission, but Opportunities Exist to Improve Public Participation. (Page 31)

Change in Statute

Rec. 4.1 (Page 36)

Continue the Texas Funeral Service Commission for 12 years.

Rec. 4.2 (Page 36)

Authorize TFSC to create advisory committees.

Rec. 4.3 (Page 36)

Modify the agency's biennial reporting requirement to increase transparency.

Rec. 4.4 (Page 37)

Update the standard across-the-board requirement related to commission member training.

Proposed New Recommendations

Senator Nichols Proposed New Recommendation 1

Direct the agency to provide information on non-traditional methods and options for the disposition of a body, such as cremation and green burials. (Management action – nonstatutory)

Senator Watson Proposed New Recommendation 2

Amend Texas Occupations Code, Section 651.260 to allow TFSC to issue duplicate licenses to license holders for the purposes of meeting the requirement to display their license at each place of business.

Senator Watson Proposed New Recommendation 3

Amend Texas Occupations Code, Section 651.401 to clarify the distinction between a first call, when a consumer initially makes contact with a funeral home to arrange for the disposition of a body, and the removal of a body, solely in relation to transportation.

SCHOOL LAND BOARD

Issue 1

While Well Performing, the School Land Board Should Improve Transparency and Oversight of Its Investments. (Page 9)

Management Action

Rec. 1.1 *(Page 14)*

Direct SLB to adopt rules to guide its investment policy and strategies.

Senator Watson Proposed Modification

Direct SLB to align its investment policy and strategies with the rules and statutes that apply to the part of the Permanent School Fund (PSF) managed by the State Board of Education (SBOE).

Rec. 1.2 *(Page 15)*

Direct SLB to adopt rules for the size, membership, and responsibilities of the investment advisory committee.

Chairman Birdwell Proposed Modification

Direct SLB to include a requirement in the rules that only individuals with investment experience may serve on the investment advisory committee beginning January 1, 2019.

Senator Watson Proposed Modification

Direct SLB to include a requirement in the rules that a majority of the members of the investment advisory committee must have expertise in the management of a financial institution or other business in which investment decisions are made.

Rec. 1.3 *(Page 15)*

Direct SLB to publicly report more detailed investment information in the *PSF Comprehensive Annual Financial Report*.

Senator Watson Proposed Modification

Direct SLB to report the inception date of the fund as well as investment benchmarks for one year, three years, five years, 10 years, and since inception in the *PSF Comprehensive Annual Financial Report*.

Senator Watson Proposed Modification

Direct SLB to provide SBOE a quarterly report including returns for the investment benchmark and investments themselves, including target weight by sector, and actual investment and commitment by sector.

Rec. 1.4 (Page 15)

Direct SLB to document the division of responsibilities for its investment management staff.

Issue 2

Texas Has a Continuing Need for the School Land Board, but Changes to the Board's Structure and Contracting Processes Would Improve Operations. (Page 17)

Change in Statute

Rec. 2.1 (Page 23)

Continue the School Land Board for 12 years.

Rec. 2.2 (Page 23)

Expand the board from three to five members.

Senator Watson Proposed Modification

Modify recommendation 2.2 to replace the new public member appointed by the attorney general with a new public member appointed by SBOE.

Rec. 2.3 (Page 23)

Apply the standard across-the-board requirement related to board member training.

Senator Buckingham Proposed Modification

Require SLB board members to receive an in-depth training regarding SLB's investment programs and strategies, as well as a comprehensive overview of the PSF.

Rec. 2.4 (Page 24)

Apply the standard across-the-board requirement related to separation of duties.

Rec. 2.5 (Page 24)

Apply the standard across-the-board requirement related to public testimony.

Rec. 2.6 (Page 24)

Apply the standard across-the-board requirement related to complaints.

Rec. 2.7 (Page 24)

Eliminate the duplicative economic impact of PSF investments reporting requirement, and continue SLB's four other required reports.

Management Action

Rec. 2.8 (Page 24)

Direct SLB to review and approve large contracts.

Chairman Birdwell Proposed Modification

Direct SLB to receive briefings from the GLO Director of Contract Management at least once a year regarding the status of all contracts under \$1 million.

Rec. 2.9 (Page 24)

Direct SLB to develop, adopt, and implement clear contract monitoring policies and include them in the contract manual and training.

Rec. 2.10 (Page 25)

Direct GLO to develop a training policy and provide contract management training for project managers and other staff involved in the contracting process.

Proposed New Recommendations

Senator Buckingham Proposed New Recommendation 1

Require SLB's Chief Investment Officer to provide quarterly updates regarding PSF investment activities and objectives to SBOE's Committee for School Finance/PSF. Also require SBOE's Chief Investment Officer to provide quarterly updates regarding PSF investment activities and objectives to SLB board members.

Senator Watson Proposed New Recommendation 2

Require an annual joint, public meeting of SLB and SBOE to discuss the investment of the dually managed PSF. Under this recommendation, the two boards would discuss asset allocation and other investment issues for the PSF as a whole, in a public meeting subject to the Open Meetings Act.

Senator Watson Proposed New Recommendation 3

Clarify in statute that all SLB assets, including cash, are part of the calculation of the 15 percent cap in statute on SLB real estate investments, and specify the cap is measured against all assets and cash managed or held by SLB and SBOE. If SLB assets exceed the 15 percent cap, the excess amount must be transferred to the PSF main fund.

Senator Watson Proposed New Recommendation 4

Statutorily create a new account within the PSF and move the majority of SLB's uninvested cash holdings into the account for investment by SBOE. While the principal of the account would remain available to SLB for cash calls on its current investments, all investment returns on the account would be deposited into the PSF for use by SBOE.

SLB would be required to transfer all PSF funds not currently invested into the newly created account, except for the amount of funds necessary for cash needs expected in the next quarter. The new account would be governed by the same investment restrictions and standards currently required of SBOE. SLB and SBOE would be required to coordinate to ensure sufficient cash is available when an SLB investment receives a cash call. SLB would be required to report quarterly to SBOE on its expected cash flow needs over the next two quarters, as well as any other financial data necessary for SBOE to determine the appropriate investment allocation and future liquidity needs.

Investments of the new account would be limited to liquid public markets and SBOE would be required to transfer funds to SLB within 10 days upon request. Investment returns earned on the account would transfer to the PSF for use by SBOE, and SBOE would be authorized to assess reasonable costs for its investment services against the account.

Senator Watson Proposed New Recommendation 5

Remove SLB's authority to invest PSF assets beyond management of PSF lands and mineral rights. SBOE would retain all responsibility for investing and managing PSF investments other than land and mineral rights.

SLB would be responsible for managing the real property and mineral rights owned by the state as part of the PSF. Revenue and royalties from those assets would be transferred to the PSF main fund for investment by SBOE, rather than held by SLB in a separate account. SLB would continue to be allowed to purchase new real property from any proceeds derived from the sale of existing real property or mineral rights. SLB's existing investment portfolio, including cash, would transfer to the PSF main fund, for management by SBOE.

VETERANS' LAND BOARD

Issue 1

VLB Needs to Make Additional Improvements to Ensure Its Contracts Adhere to Best Practices. (Page 33)

Management Action

Rec. 1.1 (Page 37)

Direct VLB and GLO staff to work together to develop and require regular training for staff involved in the VLB contracting process to effectively monitor contracts.

Rec. 1.2 (Page 37)

Direct VLB to work with GLO to further develop written policies outlining clear authority over the board's contracting functions, including the roles of project management and other program staff.

Rec. 1.3 (Page 37)

Direct VLB and GLO to develop a framework for program staff to identify significant contract compliance issues and a clear process for requiring the reporting and documenting these issues for review.

Rec. 1.4 (Page 37)

Direct VLB to review large contracts.

Senator Birdwell Proposed Modification

Direct VLB to receive briefings from the GLO Director of Contract Management at least once a year regarding the status of all contracts under \$1 million.

Issue 2

The Veterans' Land Board's Statute Does Not Reflect Some Standard Elements of Sunset Review and Others Have Not Been Implemented. (Page 39)

Change in Statute

Rec. 2.1 (Page 41)

Update the standard across-the-board requirement related to board member training.

Rec. 2.2 *(Page 42)*

Apply the Sunset across-the-board recommendation regarding policies to separate policymaking and staff functions.

Rec. 2.3 *(Page 42)*

Continue the VLB loan reporting requirement.

Rec. 2.4 *(Page 42)*

Update VLB's statute to reflect the requirements of the person-first respectful language initiative.

Management Action

Rec. 2.5 *(Page 42)*

Direct VLB to ensure stakeholders have access to board information and the public has an opportunity appear before the board.

Rec. 2.6 *(Page 42)*

Direct VLB to track complaint data and make the complaint process accessible to the public.

Senator Birdwell Proposed Modification

Direct VLB to complete Recommendation 2.6 by March 15, 2019.

Proposed New Recommendations

None received.

TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

Issue 1

State Regulation of Geoscientists Provides No Measurable Public Benefit and Should Be Discontinued. (Page 9)

Change in Statute

Rec. 1.1 (Page 16)

Abolish the Texas Board of Professional Geoscientists and repeal the Texas Geoscience Practice Act.

Chairman Birdwell and Representative Thompson Proposed Modification

In lieu of Recommendation 1.1, continue the Texas Board of Professional Geoscientists and the Texas Geoscience Practice Act for six years, until September 1, 2025.

Vice Chair Paddie Proposed Modification

Modify Recommendation 1.1 to continue the Texas Geoscience Practice Act, but abolish the Texas Board of Professional Geoscientists and transfer the regulation of geoscientists to the Texas Board of Professional Engineers by September 1, 2020. The modification would include the following

- remove regulation of geoscientists from the General Appropriations Act as the engineers board is a self-directed semi-independent agency;
- change the composition of the engineers board by replacing one professional engineer board member with one professional geoscientist, maintaining a nine-member board of six professional and three public members; and
- direct Sunset staff to work with staff from the engineers board, the geoscientists board, and the Texas Legislative Council in the drafting of bill language to identify the statutory changes necessary for a successful transition and consolidation. Statutory changes would include removing administrative provisions from the geoscience board statute so that similar provisions in the engineers board statute would control.

Management Action

Rec. 1.2 (Page 17)

In response to the board's abolishment, board staff should begin the wind-down process before the effective date of the legislation.

Change in Appropriation

Rec. 1.3 (Page 18)

The House Appropriations and Senate Finance Committees should consider limiting the board's fiscal year 2020 appropriation to costs and salary for one full-time equivalent administrative employee to complete wind-down activities.

Proposed New Recommendations

Chairman Birdwell Proposed New Recommendation 1

Eliminate the statutory notarization requirement for individuals applying for the professional geoscientist license.

Chairman Birdwell Proposed New Recommendation 2

Eliminate the letter of reference requirement for individuals applying for a professional geoscientist license.

Chairman Birdwell Proposed New Recommendation 3

Direct the board to eliminate the letter of reference requirement for individuals applying to register as a geoscientist-in-training. (Management action – nonstatutory)

Chairman Birdwell Proposed New Recommendation 4

Direct the board to discontinue geoscience firm registration. (Management action – nonstatutory)

Chairman Birdwell Proposed New Recommendation 5

Direct the board to cease routinely opening unlicensed public practice complaints against expired licensees who failed to timely renew. (Management action – nonstatutory)

Chairman Birdwell Proposed New Recommendation 6

Direct the board to further develop policies guiding the administrative dismissal of complaints by staff, specifically to provide staff clear direction to handle continuing education complaints unless aggravating circumstances require board involvement. (Management action – nonstatutory)

Chairman Birdwell Proposed New Recommendation 7

Direct the board to publish its penalty matrix on its website. (Management action – nonstatutory)

Chairman Birdwell Proposed New Recommendation 8

Apply the Sunset across-the-board recommendation to provide that the governor designates the presiding officer of the board to provide a direct line of accountability between the board chair and the governor.

Chairman Birdwell Proposed New Recommendation 9

Apply the Sunset across-the-board recommendation to require the agency to develop a training manual that each board member attests to receiving annually, and require existing board member training to include information about the scope of and limitations of the board’s rulemaking authority, including potentially anticompetitive behavior.

Chairman Birdwell Proposed New Recommendation 10

Apply the Sunset across-the-board recommendation regarding complaint processing for complaints against the board.

Chairman Birdwell Proposed New Recommendation 11

Apply the Sunset across-the-board recommendation regarding alternative dispute resolution.

Senator Watson Proposed New Recommendation 12

Amend Texas Occupations Code, Section 1002.452 to increase the board’s maximum administrative penalty amount from \$100 to \$1,500 per day for each violation. The application of the maximum penalty should be limited to only the most serious offenses.