

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Monday, June 30, 2014 4:45:07 PM

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

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Monday, June 30, 2014 1:03 PM
To: Sunset Advisory Commission
Subject: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)

Submitted on Monday, June 30, 2014 - 13:03

Agency: DEPARTMENT STATE HEALTH SERVICES DSHS

First Name: Laura

Last Name: Blanke

Title: Education Manager

Organization you are affiliated with: Texas Pediatric Society, the Texas Chapter of the American Academy of Pediatrics

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City: Austin

State: Texas

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

On behalf of the 3,500 members of the Texas Pediatric Society, the Texas Chapter of the American Academy of Pediatrics, I would like to thank you for the opportunity to comment on the Sunset Advisory Commission Staff Report related to the Department of State Health Services (DSHS). We appreciate the great effort that the Sunset Staff has devoted to examining this agency, as well as the dedication of the members of the Sunset Commission for their role in reviewing these reports and recommendations to help create a stronger agency moving forward.

The mission of our organization is to serve the best interest of children, and we are devoted to promoting the health and safety of this population. We have several concerns with specific recommendations that have been made as part of the staff report and their potential impact to children's health, which we have detailed below.

Issue 3: The Unmanageable Scope of DSHS' Regulatory Functions Reduces Needed Focus on Protecting Public Health.

In this section, the Sunset Staff makes recommendations to transfer 12 regulatory programs from DSHS to the Texas Department of Licensing and Regulation (TDLR) and completely discontinue state regulation for 19 programs currently housed at DSHS. While we appreciate the need to streamline DSHS operations, based upon our clinical knowledge and experience, we conclude that discontinuing state licensure for many of the medical professions included in this recommendation would compromise patient safety. We are encouraged that a subcommittee of the Sunset Commission has been appointed to revise the recommendations made in the staff report, and look forward to the modifications that will be suggested as a result of their efforts. We are particularly concerned with the recommendation to deregulate medical professions that provide direct and critical patient care services such as

Dieticians, Medical Physicists, Medical Radiology Technicians, Perfusionists, and Respiratory Therapists. Removing the licensure requirement for these professions not only poses a significant risk to patient health and safety, but also jeopardizes the stability of the health care delivery system in our state.

Additionally, we are not confident that the Texas Department of Licensing and Regulation is the most appropriate body to oversee the function of medically related licensure. Based on the current configuration of licensing agencies in the state, it would seem to reason that medical professions would best be organized under the Texas Medical Board – which has the experience, expertise, and structure to provide adequate oversight. We are particularly concerned with the recommendation in the staff report that midwives be moved to the Texas Department of Licensing and Regulation. Based on the scope of practice and duties performed by midwives, we feel this profession would be most appropriately managed under the Texas Board of Nursing.

Issue 8: DSHS' Numerous Advisory Committees Lack Strategic Purpose, Limiting Their Effectiveness and Wasting Resources.

This section of the Sunset Advisory Commission Staff Report acknowledges the Newborn Screening Advisory Committee as an active group, yet recommends removing the committee from statute and instead giving DSHS the authority to recreate the committee through the rule making process if necessary.

Created by the 81st Texas Legislature and amended by the 82rd Texas Legislature, the Newborn Screening Advisory Committee has played a key role in ensuring that all children in Texas have access to appropriate and timely newborn screening services. Our organization feels that the Newborn Screening Advisory Committee has served as a valuable resource for the Newborn Screening Program and been hugely successful in convening expert stakeholders to make recommendations on policies and procedures that impact every child in our state. We disagree with the Sunset Commission's assessment that this committee lacks clarity with regard to its role or responsibilities - and feel that the guidance provided by this group of experts is critical to ensuring we adhere to evidence-based best practices in newborn care. The legislature has recognized the critical importance of this committee, and in light of the existing statute and current rules relating to this committee which specifically reference the statute, we see no purpose in eliminating or altering the recent legislative directive with regard to this committee's function. We hope to see this committee continue in its current capacity, and recommend retaining existing statute related to the Newborn Screening Advisory Committee.

Thank you again for your significant efforts in crafting this comprehensive review. We look forward to continuing to work with you throughout the Sunset process and during the upcoming legislative session. Please do not hesitate to contact us with any questions.

Sincerely,
Mark Ward, MD, FAAP
President, Texas Pediatric Society

Any Alternative or New Recommendations on This Agency: See above.

My Comment Will Be Made Public: I agree