

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Tuesday, July 01, 2014 7:55:43 AM

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

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Monday, June 30, 2014 10:34 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 - 22:34

Agency: DEPARTMENT STATE HEALTH SERVICES DSHS

First Name: Joy

Last Name: Lee

Title: General Manager/Owner

Organization you are affiliated with: GEBCO Associates, LP

City: Hurst

State: Texas

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

I represent GEBCO Associates, a licensed Mold Training Provider. I oppose the sun setting of the mold program as outlined in Issue 3 of the TDSHS Staff Report. There are 4 questions the sunset commission set out to answer.

Q. 1. Does the occupational licensing program serve a meaningful public interest and provide the least restrictive form of regulation needed to protect the public interest?

A. Yes, the mold regulations serve to protect consumers from fraudulent contractors who prior to the law were unknowledgeable, used scare tactics and used unsafe and/or overpriced remediation methods.

Q. 2. Could the programs regulatory objective be achieved through market forces, private certification and accreditation programs, or enforcement of other law?

A. No. There are no other governing bodies or associations that provide certification/licensing with the exception of other state programs which now include Florida, Louisiana and Maryland. Additionally, EPA provides guidance material in respect to schools and public buildings but does not discuss housing. As a training provider, we actually service quite a few out of state mold professionals who are looking to have the certification/license so that they can be trained properly and to help set them apart from other contractors in their state who have not been trained. Another issue is that the Department of Insurance requires a licensed Mold Contractor to sign off of the work and it must be cleared by the Consultant. This cannot be accomplished if licensing does not exist.

Q. 3. Are the skill and training requirements for a license consistent with a public interest, or do they impede applicants, particularly those with moderate or low incomes, from entering the occupation?

A. There are several levels of licensing that allow for an individual with no experience to enter the field as well as an experienced person. In fact we provide training through a grant to individuals that are being rehabilitated back into the workforce and they receive the Mold Worker level training.

Q. 4. What is the impact of the regulation on competition, consumer choice, and the cost of services?

A. The regulation has served to provide healthy competition and consumer choice with cost of services now more

consistent than in the past.

I feel that the implementation of the Mold rules has had obvious positive effects. The same people that administer this program through TDHSH are the same staff that administer the Asbestos and Lead programs as well, leaving me to wonder how any cost savings can be obtained when the same staff would continue to be used for all three disciplines.

Thank you for your consideration.

Any Alternative or New Recommendations on This Agency: There may be ways to streamline services or possibly even consider moving this to TCEQ but I feel eliminating the program without further review would be a disservice to the public as well as those in the industry. This is a considerable part of our business and would force myself along with many others in the profession to have to make difficult staffing decisions which would in turn, also end up in more tax dollars spent.

My Comment Will Be Made Public: I agree