

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#); [Brittany Roberson](#)
Subject: FW: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Friday, June 06, 2014 4:07:13 PM

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

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Friday, June 06, 2014 3:13 PM
To: Sunset Advisory Commission
Subject: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)

Submitted on Friday, June 6, 2014 - 15:12

Agency: DEPARTMENT STATE HEALTH SERVICES DSHS

First Name: Derek

Last Name: Robertson

Title: Liaison to LPC Board of Examiners

Organization you are affiliated with: Texas Association of Counselor Educators and Supervisors

City: San Antonio

State: Texas

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

The Executive Board of the Texas Association of Counselor Educators and Supervisors (TACES, a division of the Texas Counseling Association) would like to express our grave concerns regarding recommendation 3.2 to transfer the Texas State Board of Examiners to the TDLR. The current Texas State Board of Examiners of Professional Counselors consists of licensed professional counselors as well as public members. As a result of this transition, issues such disciplinary actions due to ethical complaints, rules regarding licensure and continued education, supervision issues and other regulatory actions will be taken over by a board consisting of public members. Thus, individuals who are not LPC's would make all major decisions regarding our profession. The following quote is from page 54 of the report.

The board's existing authority for registering, certifying, licensing, and taking enforcement action against practitioners, including their rulemaking authority, would be transferred to TDLR.

We are troubled that these important tasks would be delegated to a regulatory board made up of all public members who also oversee 11 other professions.

Given that the specific issues involved in the LPC board actions require an in-depth understanding of the nature of our work, as well as national trends in the profession as they relate to current ethical codes and counselor education standards, we believe that any regulatory board without professional members will not effectively serve the public interest or that of the profession. Professional members who are clinically trained and who identify as professional counselors are best suited for making rules for the profession and taking action against those who violate the rules.

Unlike the other professions recommended to be transferred to the TDLR, Licensed Professional Counselors, Social Workers, and Marriage and Family Therapists hold advanced degrees and are considered Health Professions under

Texas law. Because of the scope of their work and the years of experience and education involved in developing expertise and professional identities, regulatory oversight of these professions should be maintained by independent boards that include experienced licensed professionals.

Any Alternative or New Recommendations on This Agency: Because of the scope of their work and the years of experience and education involved in developing expertise and professional identities as Licensed Professional Counselors, Social Workers, and Marriage and Family Therapists, regulatory oversight of these professions should be maintained by independent boards that include experienced licensed professionals.

My Comment Will Be Made Public: I agree

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: De- regulating Respiratory Care Licensure in TEXAS
Date: Thursday, June 19, 2014 5:14:37 PM

From: Dawn Robinson
Sent: Thursday, June 19, 2014 2:15 PM
To: Sunset Advisory Commission
Cc: pyckse@gmail.com
Subject: De- regulating Respiratory Care Licensure in TEXAS

Dear Sunset Commission Members:

I live in Lubbock TEXAS and am a licensed Respiratory Care Practitioner (RCP). There are presently 14,614 licensed respiratory care practitioners in Texas.

In May 2014, the Sunset Advisory Commission Staff Report recommended to discontinue 19 regulatory programs currently housed at the Department of State Health Services (DSHS) which includes Respiratory Care Practitioners Program (Page 4, Issue 3 and Pages 106-108, Appendix E).

Licensed RCPs' must complete a specialized, college-based educational training program from an accredited college, and must successfully complete a national credentialing process consisting of rigorous examinations before they are eligible to apply for a state license.

The organization that provides our credentialing examinations does not regulate our profession, nor does the organization that accredits the RT educational programs. The RCPs' are regulated by the Texas Respiratory Care Practitioners Program with the DSHS.

The scope of practice for a licensed RCP is complex. The following are just a few procedures in an RCP's scope of practice:

- Directly manages highly technical mechanical ventilators providing necessary life support for patients who are unable to sustain life on their own.
- Routinely administers prescription medications, including bronchodilators, antibiotics, analgesics, and opioids.
- Assists the physician in diagnosing cardio-pulmonary disease by performing diagnostic procedures and patient assessment
- Performs CPR in all types of health care facilities and on patients of all ages
- Administers medical gases such as oxygen, nitric oxide and helium
- Provides counseling and rehabilitation to patients with cardio-pulmonary diseases
- Functions as members of the Extracorporeal Life Support team
- Works with critically ill patients in all intensive care units (ICUs)
- Serves as an invaluable member of land and air transport teams.

There are numerous reasons to not deregulate RCPs'. Public health and safety is our greatest concern. Licensed RCPs' are direct patient care providers in a profession where extensive specialized skills and training are required and a significant potential risk of harm to the public exists from lack of training education and incompetence. The lack of a formal state licensure process in Texas would mean that RCPs' whom are incompetent, engaged in criminal activity, or have lost their license to practice in another state can work in Texas without any review or screening to protect the citizens of Texas.

My recommendation is not to deregulate RCPs', but for the Respiratory Care Practitioners program to either remain with the DSHS or to be transferred to the Texas Department of Licensing and Regulation.

Respectfully submitted,
Gillian Dawn Robinson, BS, RRT, RCP
License #59205, June 1993

Dawn Robinson, BS, RRT
DIRECTOR, RESPIRATORY CARE SERVICES/OR STAT LAB

www.covenanthealth.org

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"The achievements of an organization are the results of the combined effort of each individual"
-Vince Lombardi

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