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November 21, 2016

To The Honorable Sunset Commission

What irony! The LPC Board has contacted both Governors' Offices (repeatedly), our Senators and Representatives begging to remove the Mental Health boards out of an extremely broken, poorly structured and underfunded DSHS. We FINALLY saw hope for this to happen as DSHS came under review in 2015. We received word the mental health boards would remain independent regulatory boards and would be moved to HHSC by September 2017. All this educating, fighting and exposing the truth of what the mental health boards had to endure -- STARTS ALL OVER AGAIN!

The only dog we have in this hunt, as Gubernatorial appointees passionately volunteering our time, effort, knowledge and money is to protect the public and to help our Great State run smoothly. It is vitally important to make SURE the Sunset Commission really understands and gets the TRUTH.

FACT: One Executive Director for over 22 thousand licensees and interns, with no supervisory authority over assigned LPC staff is severely inadequate. This is a very poor way to "run a business." The supervisor with authority over the "community pool of staff," often times does not have any working knowledge of how the Board operates, (i.e. Applications and Rules). Again, it's a very poor way to "run a business". I'm quite sure the Medical Board does not operate in this fashion. We NEVER had a say in the matter.

FACT: Before 2011 the LPC Board shared 2-3 investigators with 23 other boards, with about half of those boards being very large. In 2011 a position was added for an investigator and in 2013 two additional positions were added for the same number of boards. The number of investigators has been inadequate all along. Our board was told it takes about nine months to one year to train an investigator, which means the person training is pulled away from their own duties, yet adding more inadequacies. Again, it's a very poor way to "run a business."

FACT: All revenue is generated by license fees, etc. which goes directly to the state's General Revenue Fund. These revenues are NOT allocated back to DSHS to fund the operations of the LPC Board program. And yet, the LPC Board is known as a "CASH COW" bringing in around 1.5 million a year to the general fund. We more than supply enough revenue for the LPC Board.

FACT: The Sunset Advisory Commission blames “THE BOARDS.” Again, the truth – “put accountably where it belongs.” The first sentence in the Introduction is “Texans want, and deserve, a lean (this means advisory committee members never get reimbursed, period), high-quality state government.” FACT is --we agree! However, we’ve never been “afforded” the opportunity to experience this under DSHS.

TDLR has no expertise or experience with mental health boards. We have already seen first hand how badly one bureaucratic agency mismanaged our boards. We do NOT need to be TDLR’s “guinea pig.” This Board finds the advisory committee’s report insulting and the suggested solutions lacking an understanding of a professional license.

The LPC Board along with our very dedicated, recently retired, Executive Director Bobbe Alexander managed to accomplish our goal of “keeping the public safe” in spite of extreme hurdles from DSHS, and until recently, the LPC Board heard repeatedly board attorneys’ telling us “they just can’t get our cases to SOAH.”

The Sunset Commission has the epochal power and accountability to see the public is kept safe by moving the independent mental health regulatory boards to HHSC. We do NOT have an occupational license. We have a professional license many time encountering life and death situations, warranting the need to stay an independent regulatory board.

NOTE: Please read our November 15, 2016 letter to: The Honorable Sunset Commission.

The only consolidation the LPC Board is in favor of is keeping all the mental health boards together at HHSC as independent regulatory boards.

Thank you for your time and effort with the Sunset Commission.

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