



TEXAS DEPARTMENT OF LICENSING AND REGULATION

Executive Office

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APR 16 2018

April 11, 2018

Mr. Ken Levine, Director
Sunset Advisory Commission
P.O. Box 13066
Austin, TX 78711-3066

Dear ^{Ken}Mr. Levine,

I want to thank you for the opportunity to provide our feedback regarding the Sunset Advisory Commission Staff Report on the Texas State Board of Examiners of Marriage and Family Therapists, Texas State Board of Examiners of Professional Counselors, Texas State Board of Social Worker Examiners, and Texas State Board of Examiners of Psychologists. We appreciate the ongoing confidence that you and your staff have placed in us by recommending that we partner to serve as a member of the Behavioral Health Incubation Taskforce and assist in establishing the Texas Behavioral Health Executive Council (BHEC).

Sunset Staff Recommendation 1.1 to consolidate the Board of Examiners of Marriage and Family Therapists, Board of Examiners of Professional Counselors, and Board of Social Worker Examiners with the Board of Examiners of Psychologists to create the Texas Behavioral Health Executive Council. We stand ready to partner with the existing regulatory boards, BHEC, and the Health and Human Services Commission (HHSC) in implementing Sunset Recommendation 1.1. The Texas Department of Licensing and Regulation (TDLR) anticipates no fiscal implication for this partnership and our service on the incubation taskforce.

Alignment with TDLR's Vision and Core Values. At TDLR, our vision is to be the leader in public service by creating innovative, low-cost licensing and regulatory "next" practices. This partnership speaks to three of our core values – open and free communication, teamwork, and innovation. At TDLR, we seek participation from all of our customers and coworkers, expect and welcome dissonance, and listen to all viewpoints. We know we succeed together by combining our talents, passion, and ingenuity to serve the citizens of Texas. We also foster a culture of creativity to generate bold ideas, deliver valuable change, and position our agency for the future. In addition to assisting in the creation of BHEC, we know that this partnership will offer us valuable lessons and spur ideas for further improvement of our own processes. We fully expect to bring the knowledge gained through this partnership back to our agency to better serve our licensees and Texas consumers.

TDLR's Experience with Licensing Program Transfers. Because the Legislature has transferred 23 programs with more than 417,000 licensees to TDLR since 2001, TDLR has significant experience in:

- hiring key staff,
- effectively engaging stakeholders in the transition process,
- developing functional alignments in staff structure,
- coordinating the transition of data, IT services, and systems,
- establishing the necessary accounts and reporting requirements,
- revising and simplifying existing rules to ensure alignment of administrative functions, and
- streamlining regulatory functions.

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Recently, TDLR completed the transfer of 13 health licensing programs from the Department of State Health Services and HHSC, where the boards for social workers, marriage and family therapists, and professional counselors are currently administratively attached. We are happy to share our real time, relevant experience.

Recommended Modification to Sunset Staff Recommendation 1.1. The Behavioral Health Incubation Taskforce will have one year to accomplish a very challenging series of duties. We recommend assigning clear leadership responsibility for the taskforce to a specific agency member. The taskforce's leader should be neutral and collaborative, have vision, have experience converting a variety of licensing programs from a silo model to a functionally-aligned model, communicate well with other agencies and stakeholders, and be committed to an outcome of ensuring that licensees are qualified and that consumers get the real protection they deserve. This choice will largely determine which regulatory model will be pursued by the taskforce.

TDLR stands ready to serve as a resource for the Sunset Advisory Commission throughout this process. We know that what we work to build today will create the pathway for serving the behavioral healthcare needs of Texans for many years to come. If you have any questions or if there is anything we can do for you, please let me know.

Yours in Service,

A handwritten signature in black ink, appearing to be 'Brian Francis', with a stylized flourish at the end.

Brian Francis
Executive Director
Texas Department of Licensing and Regulation