

Health Professions Council Annual Report

to the

**Governor
Lieutenant Governor
Speaker of the House of Representatives**



February 1, 2001

Agency Health Professions Council Members

*Board of Chiropractic Examiners
Board of Dental Examiners
Board of Medical Examiners
Board of Nurse Examiners
Board of Occupational Therapy Examiners
Texas Optometry Board
Board of Pharmacy
Board of Physical Therapy Examiners
Board of Podiatric Medical Examiners
Board of Examiners of Psychologists
Board of Veterinary Medical Examiners
Board of Vocational Nurse Examiners
Department of Health, Professional Licensing and Certification Division
Office of the Governor*

Council Members

TEXAS BOARD OF CHIROPRACTIC EXAMINERS
TEXAS STATE BOARD OF DENTAL EXAMINERS
TEXAS STATE BOARD OF MEDICAL EXAMINERS
BOARD OF NURSE EXAMINERS FOR THE STATE OF TEXAS
TEXAS OPTOMETRY BOARD
TEXAS BOARD OF OCCUPATIONAL THERAPY EXAMINERS
TEXAS STATE BOARD OF PHARMACY
TEXAS BOARD OF PHYSICAL THERAPY EXAMINERS

Council Chairperson

KATHERINE A. THOMAS, M.N., R.N.



TEXAS STATE BOARD OF PODIATRIC MEDICAL EXAMINERS
TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS
TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS
TEXAS BOARD OF VOCATIONAL NURSE EXAMINERS
TEXAS DEPARTMENT OF HEALTH, PROFESSIONAL LICENSING AND
CERTIFICATION DIVISION
OFFICE OF THE GOVERNOR

Administrative Officer
CHARLES HORTON

Health Professions Council

333 GUADALUPE STREET, SUITE 2-220
AUSTIN, TEXAS 78701-3942

February 1, 2001

The Honorable Rick Perry, Governor
The Honorable Bill Ratliff, Lieutenant Governor
The Honorable Pete Laney, Speaker of the House of Representatives
Capitol Building
Austin, Texas 78711

Dear Gentlemen:

I am pleased to report to you on the activities of the Health Professions Council for Fiscal Year 2000, as required by the Texas Occupations Code, Chapter 101.151. The Health Professions Council continues to be a unique entity among State agencies in Texas or any other state. This report will highlight our accomplishments.

There is a growing realization that the State of Texas has created a useful vehicle in the Health Professions Council as the Council is increasingly called upon to participate in interagency workgroups and health policy initiatives. It is apparent there will continue to be increased demands and new expectations for the Health Professions Council as healthcare issues dominate the public agenda.

We believe there are many exciting possibilities for the Council in the future. We look forward to working together to develop new opportunities for continued growth in efficiency and effectiveness for the Council and to produce even greater benefit to the citizens of Texas.

Sincerely yours,

Katherine A. Thomas, M.N., R.N.
Chair

Table of Contents

An Introduction to the Health Professions Council	1
FY00 Initiatives	5
Recommendations for Statutory Changes To Improve Regulation of Health Care Professions	10
Recommendations for Statutory Changes With Fiscal Implications to HPC Agencies	16
Health Professions Council Administrative Office Budget	18
Report of Current Licensees & Disciplinary Actions	19
Appendices	
Appendix A - Agencies Reports on Disciplinary Action Data	

An Introduction to the Health Professions Council

What is the Health Professions Council?

The Texas Health Professions Council (HPC or Council) provides a unique solution for the multiple challenges of state regulation of health professions. The State of Texas created HPC to achieve the potentially desirable outcomes of consolidation of small independent health licensing and regulatory agencies *without sacrificing the quality, independence, accessibility and accountability of individual boards*. Established in 1993, the Council has a membership of 13 agencies currently representing 30 professional licensing boards or registries. Operating with a budget of \$127,000 per year, the Council employs a staff of three persons. Two administrative staff carry out administrative functions and coordinate the work of Council committees composed of staff from member agencies. A third position, added in FY99, provides network manager services for member agencies. Although agencies are required by legislative mandate to be members of HPC, participation in Council initiatives is voluntary. The Council has no authority over member agencies. The Council was cited as an innovation by the Pew Health Professions Commission in its December, 1995 report *Reforming Health Care Workforce Regulation*.

What is the value of the Council?

The Council was created in 1993 by the 73rd Legislature on the recommendation of the Texas Sunset Commission to achieve the efficiency and effectiveness goals of consolidation while avoiding the creation of a new bureaucracy. Repeated efforts to consolidate boards under one umbrella agency had received only lukewarm support while generating heated opposition from the professions. Experience in other states had shown that large umbrella agencies sometimes failed to meet the perceived benefits and desired objectives of improved consumer service and decreased costs. Problems of consolidations included increased response time for services, decreased quality of services, lack of expertise in regulated professions, and decreased disciplinary actions against licensees. Studies showed consolidations often failed to achieve economies of scale.

Although independent agencies provide advantages to consumers and licensees, there are some challenges inherent in small agencies: staff are necessarily generalists in administrative functions, staff training is costly and limited by lack of in-house resources, functions may be duplicated between agencies to some extent and there is little opportunity for scale economy.

The Council has provided remedies through shared staff training programs and voluntary sharing of some administrative functions. Some economies of scale have been realized through shared outgoing mail processing, courier service, document reproduction center, joint participation in an employee assistance program, shared complaint line and shared information technology support. The Council also provides joint representation for HPC agencies on multi-agency work groups and policy initiatives.

The Council has mitigated problems of competition and conflict among the licensed professions by fostering an atmosphere of communication and cooperation. It has provided a forum for discussion of issues and allowed a coordinated response to legislative issues when requested by elected officials.

What does the Council do?

The Council has been successful in creating shared initiatives which save money and promote improved quality and consistency. Member agencies collocated to one state office building to facilitate resource sharing including a shared board room and conference rooms. The Council operates a complaint line which allows consumers to file complaints against any state-licensed health professional by calling one toll-free number. The shared complaint line improves effectiveness and efficiency by providing easy "one-stop" access for consumers and significant cost-savings for individual agencies.

Other programs promoting efficiency through shared resources include a document processing center, outgoing mail center, joint tracking of legislative issues, courier service, shared legal libraries and training materials. The Council provides staff development training for member agencies. The Council developed manuals for board member training, risk management, and disaster recovery, as well as core policy and procedure statements on various topics to save staff time and promote consistency among members. Several members have cooperative arrangements through which one agency provides certain accounting or administrative functions for another or provides backup services in times of staff absence or transition.

Participation in the Council has created a new atmosphere of cooperation where member agencies can engage in cooperative rule-making instead of settling issues through the administrative law system at great cost to all parties and to the taxpayer.

What are the Council's significant accomplishments?

- ✓ The Council provides joint representation for member agencies on work groups and policy initiatives eliminating the need for each agency to participate individually.
- ✓ Approximately 1,930 consumers call the toll-free complaint line each month and the number grows each year. Callers can use the voice mail function to request complaint forms from one of the HPC agencies or can transfer to the HPC office staff for assistance. An average of 419 callers per month are routed to HPC administrative staff for assistance.
- ✓ Sharing of administrative functions is breaking new ground in eliminating duplication and increasing efficiency. The *outgoing mail center* allows agencies to participate in cost-saving initiatives such as bar-coding. The reproduction center has reduced the need for agencies to acquire larger, more expensive copiers.
- ✓ Creation of back-up systems assures that critical administrative functions can be performed by a partner agency in times of staff absence or position vacancy. HPC agencies have come to depend upon each other for such assistance.
- ✓ The sharing of a network manager for hardware and software service and assistance allows agencies to meet technology needs at a greatly reduced cost of approximately \$20 per hour versus a minimum of \$75 per hour for outside consultants.
- ✓ Risk Management cooperative efforts benefit the HPC agencies in the Hobby Building. The Council developed a risk management manual and worked with DPS Capitol Police to develop a *model violence response plan*.
- ✓ Use of a "purchasing pool" provides trained and certified purchasers to assist agencies too small to have such expertise.
- ✓ Informal work groups provide help to agency staff in completing major projects such as the annual financial report.
- ✓ HPC agencies have been able to provide more and better services without significant staff growth in administrative areas.

Who benefits from HPC?

Employees benefit through increased training opportunities, access to employee assistance programs, and opportunities to refine job skills as administrative sharing allows greater staff specialization. The Council network provides opportunities for communication, shared expertise and joint problem-solving, reducing stress and improving performance. Other state agencies benefit from HPC's board member training manual and meeting rooms. The Council has become a leadership focus for all smaller state agencies. HPC increasingly receives requests to aid non-member small agencies that lack such support systems.

Licensees benefit from retention of independent boards which are more responsive and accessible to licensees and from increased efficiency of the agencies. As more administrative tasks are shared, staff with specific expertise are more available to respond to needs of licensees and consumers.

The one-stop complaint line directly benefits consumers who can place one toll-free call to obtain information or initiate a complaint against any licensed health professional. Many consumers lack information necessary to determine to which board a complaint should be directed. The greatest benefit to consumers is preservation of independent boards with specific expertise in investigation and resolution of consumer problems. Consumers and taxpayers benefit indirectly from improved efficiency and from cooperation among agencies which produces cooperative rulemaking and less reliance on the administrative law system to resolve conflicts.

How is the Council funded?

The Council is funded entirely by transfer of funds from member agencies. Prorated amounts are specified by a rider in the biennial appropriations bill. Additional amounts are transferred by member agencies to pay for shared services such as technology support and toll-free phone service on a usage basis. A report of financial support by member agencies is provided on page 18 this report.

FY 00 Initiatives

With many mandated tasks completed and ongoing cooperative programs working smoothly, the major initiatives for the Health Professions Council in FY 00 focused on technology and policy issues.

Technology Issues

Technology issues have been a high priority for the Council since FY 99. While technology advancements create new opportunities, they also present great challenges for agencies. Cooperative technology efforts have allowed agencies to share both services and knowledge. HPC agencies successfully worked together to assure that none of the agencies encountered problems with the transition to the year 2000. Smaller state agencies have the particular problem of not having the resources to hire experienced information services support staff and individual agencies.

IT Network Support

At the beginning of FY 99, HPC received approval from the Legislative Budget Board and the Office of the Governor for an additional FTE to provide information technology support for member agencies in the Hobby Building. HPC had previously contracted with the General Services Commission (GSC) for one-half of an FTE, but GSC terminated that arrangement at the start of the FY 99 fiscal year. Outside consulting was not a practical solution for smaller agencies who lacked the technology expertise for even minor troubleshooting. The hiring of a Network Manager has proven very beneficial and cost effective for the agencies that share costs based on projected use of the services. The cost for the HPC staff position is approximately \$20 per hour compared to fees for outside consultants which generally exceed \$75 per hour.

Licensing and Enforcement Database Systems

Many of the HPC agencies face common problems with outdated licensing and enforcement database systems. When a new system proposed for state licensing agencies in the previous biennium proved unworkable, agencies faced growing problems with no immediate solutions. HPC agencies joined with other licensing agencies to identify common issues and to work with the Department of Information Resources (DIR) to address them. Although some of the larger

licensing agencies have developed their own licensing and enforcement database systems, most of the smaller agencies are in need of the licensing database from DIR. One of the recommendations from the Statewide Health Coordinating Council (SHCC) is that the licensing and enforcement database system being considered by DIR include the ability to collect and report data about health care providers (see Texas State Health Plan 1999-2004 Plan Update 2001-2002).

E-Commerce

An HPC task force previously studied agency license renewal processes to determine whether any cooperation or consolidation of systems would be feasible or efficient. It was agreed that any consolidation of current systems would produce no gains in efficiency that exceed the benefits lost. It was determined that HPC should look toward achieving efficiencies in the future through technologically advanced systems such as on-line verifications and renewals or 1-900 telephone renewals. Many agencies are already providing on-line verifications and some plan to provide on-line renewals as early as the end of fiscal year 2001. Some smaller agencies may need assistance as they lack the technological capabilities and financial resources to achieve the aspects of E-commerce.

The Texas Department of Health Professional Licensing and Certification Division has been engaged in a pilot project using 1-900 telephone renewals and has reported regularly to HPC on the progress of this trial. To date the 1-900 telephone/credit card renewal process has had limited success. Because of the relatively low use by licensees, the process may not be cost effective for the vendor. Based on experience with this process, it appears that HPC agencies should focus on an on-line renewal process.

Document Imaging

The 76th Legislature provided for the acquisition of an electronic imaging system for archiving documents to be funded and shared by ten of the HPC agencies. The project is in partnership with the Texas State Board of Medical Examiners. A committee researched the agency needs, acquired technology information, put out a request for offer (RFO), selected a vendor, and purchased a system. The contract was awarded to BCS Systems, Inc. The system is located on the first floor of the Hobby in shared space. The committee has expanded to include membership from all 12 agencies. Currently, the committee is piloting the indexing and scanning of documents for the Board of Pharmacy, the Board of Medical Examiners, and the

Board of Nurse Examiners. The other nine agencies are scheduled to be on the imaging system during this fiscal year.

Interagency Workgroups and Policy Initiatives

The Council has taken an active role in a number of interagency workgroups during this year and is increasingly seen as a vehicle for communication and a source of information and leadership for interagency initiatives that encompass HPC member agencies.

- Small State Agency Task Force: HPC agencies are members of the Small State Agency Task Force (SSATF) which is composed of agencies with 100 or fewer FTEs. HPC provides meeting facilities and administrative support to SSATF and employees of HPC member agencies are actively involved in task force initiatives and leadership. The chair of SSATF for the FY 98/99 biennium was the Director of Administrative Services for the Board of Nurse Examiners. The former Administrative Officer of HPC (currently Manager of the Texas State Board of Medical Examiners' Physician's Profile Program) is the SSATF chair during FY 00/01. The required EEO Training for new employees which was offered jointly for HPC agencies by the Administrative Director of the Board of Nurse Examiners was opened to all small state agencies.
- The Council has been active in several initiatives of the Statewide Health Coordinating Council's (SHCC) State Health Plan. HPC representatives were active members of SHCC's Health Personnel Data Advisory Committee and the Consumer Information Task Force. The Data Advisory Committee has required ongoing participation and feedback from HPC staff and all the member agencies as it worked on proposals for development of a minimum data set of licensee information. (For additional information see page 10, The Texas State Health Plan Update.)
- HPC was asked to participate as a member of the State Agency Advisory Council of the East Texas Rural Access Project (ETRAP). Funded through the Robert Wood Johnson Foundation Southern Rural Access Program, ETRAP seeks to improve access to health care for persons in underserved rural communities throughout the East Texas region.

Providing National Programs Locally

The Council has continued efforts to bring national programs to Texas to decrease travel costs and provide maximum participation by Texans in national forums. As noted above, HPC provided the opportunity for local dialogue on the national Healthcare Integrity and Protection Data Bank. In November, 1998, the Health Professions Council hosted the Annual Meeting of the Citizen Advocacy Center in Austin. Many HPC agency staff and board members were speakers and panel participants for the three-day meeting. The Citizen Advocacy Center seeks to enhance the role of public members of health licensing boards.

An HPC member agency, the Department of Health's Professional Licensing and Certification Division, hosts the National Certified Investigator/Inspector Training (NCIT) program of the Council on Licensure, Enforcement, and Regulation (CLEAR) in Austin approximately once a year, providing the highest quality training at the lowest possible cost for HPC members and other state agencies employing investigators. The next session will be held in conjunction with the CLEAR 2001 Annual Conference scheduled for September 13-15, 2001.

Future Challenges

It is clear that there is a growing realization that the State of Texas has created a useful vehicle in the Health Professions Council and there will continue to be increased demands and new expectations from within and outside the Council. The Council is increasingly called upon to participate in workgroups and health policy initiatives some of which require travel.

Telephone calls to the Council's Toll Free Complaint Line increased 34 percent during the last fiscal year resulting in additional work for HPC and agency staff. Requests for use of HPC meeting space have increased greatly in the past year, especially requests from agencies outside of HPC. As HPC space becomes less available, agencies, both within and outside of HPC, may bear additional costs for space rental.

The electronic document imaging system will continue to have an impact on the Health Professions Council. In addition to the work that is ahead in getting all of the participating agencies on the system, there will be a need to keep the system functioning requiring weekly and possibly daily back up of data, eventually. There are some costs associated with consumable supplies in the operation of the system. The system will also require some equipment replacement and upgrading over time. Estimates of the costs associated with the ongoing operation of the system were included in HPC's Legislative Appropriations Request.

In a recent planning session for the East Texas Rural Access Program (ETRAP), the leadership expressed an interest in the collection of the Minimum Data Set (information on health professionals), which is a part of the Texas State Health Plan. ETRAP's ongoing planning efforts may involve some increased demands on HPC staff time.

These are only a few of the increasing demands placed on the Health Professions Council. In view of HPC's limited resources, prioritization of demands will be a challenge as the Council seeks to meet growing expectations while minimizing additional costs to member agencies and their licensees.

Recommendations for Statutory Changes To Improve Regulation of Health Care Professions

Collocation of the members of the Health Professions Council

In 1998, the 76th Legislature codified HPC's Act from the Texas Revised Civil Statutes, Article 4512p, to the Occupations Code, Chapter 101. In Article 4512p, the Council was directed to "adopt a memorandum of understanding with the General Services Commission to develop and implement a plan to collocate the staffs of the boards listed by Section 1(b) of this article, except that the memorandum shall provide for a study of the feasibility of relocating the health licensing boards of the Texas Department of Health with the collocated staffs." When the statute was written for inclusion in the new Occupations Code, the reference to collocation was deleted because that had been accomplished. The feasibility study determined that it was not feasible to collocate the health licensing division of the Texas Department of Health. The Council recommends that the Chapter 101 of the Occupations Code be amended to include the collocation of member agencies of HPC (with the exception of the health licensing division of Texas Department of Health).

The Texas State Health Plan 1999-2004 (2001-2002 Update)

The Statewide Health Coordinating Council's 2001-2002 Texas State Health Plan Update recommends (in the Goals, Objectives and Strategies in Strategy 1.1.1, action 3) that the licensing boards for those professions named should change their licensing forms and data systems to include the collection of the minimum data set on an annual or biennial basis. The recommendation also states that the Legislature should appropriate funds to the Texas Department of Health to cover the costs of contracting with licensing boards to implement the minimum data set (MDS). In addition, the recommendation states that the Legislature should raise the FTE cap for those licensing boards and the Health Professions Resource Center, which will be required to implement and maintain the collection of that data.

HPC participated with SHCC to determine the most efficient and effective means of obtaining the needed information. During the past two years, HPC and the member agencies have invested many staff hours in determining the costs, obstacles and possible alternatives for the database. SHCC has reduced the number of data elements in the MDS in an effort to make

collection of the desired data less costly. While it is possible to implement the MDS proposals, it will require a great commitment of state resources.

The following issues were resolved by working with SHCC. It is important to HPC agencies that the recommendations are implemented as recommended by SHCC and as stated below:

- ◆ **MDS data elements non-mandatory:** SHCC recommends that the reporting of health personnel data is non-mandatory for health professionals, except for those data elements required for board administrative and regulatory purposes. It would be especially difficult and costly to implement the MDS if licensees must provide all of the data elements as a condition of licensure. Making data elements which are not required for board administrative and regulatory purposes mandatory would require follow-up by agency staff for incomplete data and enforcement action for failure to comply.

- ◆ **Funding for the MDS:** SHCC recommends that the funding for the MDS come from appropriation to the Texas Department of Health who would contract with agencies to implement the MDS. This is important to HPC member agencies who do not currently have the resources to implement the MDS. It is important to licensees that funding for this initiative come from another source, rather than from increased fees. Factors which impact the cost for the MDS include:
 - **Agency Databases:** While some of the licensing boards can easily accommodate the addition of new data elements, most of the smaller boards have outdated databases that are already overly stressed. The resolution of this problem may depend upon the outcome of the licensing database systems being considered by DIR.

 - **Staff Resources:** Licensing agencies have minimal staff and budget resources and are strained to fulfill current legislative mandates. None of the agencies have sufficient staff or funding to perform additional tasks, especially an initiative of this magnitude. Although SHCC has expressed commitment to support agencies in obtaining sufficient resources, HPC agencies are cognizant of the legislative efforts to control the size of the state workforce and expenditures and the resulting impact on new initiatives.

 - **Social Security Number Confidentiality:** HB 692 (76R) by Representative Janek, states "the social security number of an applicant for or holder of a license to practice medicine that is provided to the board is confidential and is not subject to disclosure under the open records law." While the legislation

provided much needed protection to licensees, it has created barriers for state agencies and educational institutions who need to track licensee data. It's been recommended by the Statewide Health Coordinating Council (SHCC) that "the Legislature should amend H.B. 692 to allow for the disclosure of the social security number and other licensing board data including, but not limited to, gender, date of birth, and race/ethnicity to the Health Professions Resource Center, other state agencies and state universities. Release of such licensing data should be subject to any confidentiality requirements and guidelines outlined by the open records laws and privacy laws of Texas." The Council supports the SHCC recommendation.

Other issues surrounding the implementation of minimum data set (MDS) that could affect HPC member agencies:

- ◆ **Lock Box System Requirements:** Five of the boards use the Comptroller's Lock Box to process license renewals. The lock box system allows the agencies to meet the state's three-day deposit requirement and it generates considerable additional state revenue by assuring immediate deposit of funds to the state treasury. The Comptroller has set exact requirements for items it will process including limits on paper size. Collection of MDS information within the licensing renewal process will require the support of the Comptroller in changing current lock box regulations. If agencies must withdraw from the lock box system, they would require additional staff to perform the work that is now done by Comptroller staff.
- ◆ **Loss of Reappropriated Funds:** Currently the Comptroller's Revenue Estimates for licensing agencies include "reappropriated funds" which are generated by fees for the provision of licensee information. Any distribution of licensee information by the Health Professions Resource Center or other entities could result in decreased revenue for licensing boards.
- ◆ **Race/Ethnicity Data:** Due to potential liability, agencies are reluctant to collect sensitive information which they do not need. An agreement to make provision of this information optional for the individual licensee should resolve this problem.

Many of these issues could be resolved if the project were entirely funded through an appropriation to SHCC. HPC has discussed with SHCC the possibility of SHCC contracting with the agencies to provide the data at their costs, including cost for both personnel and database revisions. This could resolve some of the issues surrounding individual agency budgets and contingent revenue riders. However, it would not solve the problem of agencies

lacking sufficient staff under the FTE cap. Nor would it address the costs and problems associated with enforcement of a mandatory MDS.

The HPC's member agencies support the collection of the minimum data set, stressing the importance of funding coming from the Legislature to the Texas Department of Health, rather than from raising the fees of its licensees.

Sunset Commission Recommendation to include the Funeral Service Commission in the Health Professions Council

The Sunset Staff Report on the Funeral Service Commission (November 2000) recommends that the Funeral Service Commission be included as a member of the Council.

The Council questions the proposed inclusion of the Funeral Service Commission in HPC. Agencies represented on the Council serve boards whose function is to license and regulate health care professionals. The Council recognizes that one aspect of the funeral service industry (proper embalming, cremation and interment) could have an impact on public health if it is not done correctly, however, funeral service industry professionals are not considered health care professionals.

A basic concern is that the Funeral Service Commission is, at best, marginally related to the health professions in HPC. We fear that linking an agency such as this may set a precedent to link other small agencies to HPC and dilute the fundamental mission the Council was intended to accomplish.

The Sunset Staff Report indicates that the purpose of including the Funeral Service Commission on the Council is to allow the Executive Director to interact with and benefit from the experience of other licensing agency directors. The Sunset Staff Report notes that the HPC was created to enable directors of health care professional licensing agencies to share administrative efforts, identify model licensing techniques, standardize complaint and enforcement techniques, and ensure new board members receive appropriate training.

Members of the Council have benefitted from participation in HPC. A key benefit that Council members have gained includes mutual consultation on policy issues that affect the business of regulating health care professionals.

The Council believes that it could be of some assistance to the Funeral Service Commission without including the agency in the Council. The Council could share the board member training manual with the Funeral Service Commission. The Council has generally limited its resource sharing efforts with other members of HPC. However, there have been instances of resource sharing with non-HPC agencies that are located in the Hobby building. In those cases, the physical proximity was the key factor, which made the arrangements feasible. Should the Funeral Service Commission manage to relocate to the Hobby Building, similar sharing efforts might also become feasible. However, member agencies of the Council may have some difficulty expanding that type of assistance to more agencies in the future.

In summary, the Council believes that including the Funeral Service Commission on the Council is not appropriate because the Funeral Service Commission does not regulate health care professionals. The Council believes that any assistance it could provide to the Funeral Service Commission could be provided without including the Funeral Service Commission on the Council.

Health and Human Services Commission recommendation to include the mental health boards of the Texas Department of Health as individual members of the Health Professions Council

In December, 2000, the Texas Health and Human Services Commission released its Report on Texas Department of Health Regulatory Programs with their recommendations for consolidating, restructuring, or moving health-related regulatory programs. Recommendations 9 and 10 involved clustering the mental health boards (Texas State Board of Marriage and Family Therapists, Texas State Board of Examiners of Professional Counselors, Texas State Board of Social Worker Examiners, and the Interagency Council on Sex Offender Treatment) and attaching them to HPC as separate boards each with their own vote. The Council recognizes that the mission of these four boards is appropriately aligned with the missions of members of HPC. If the legislature chooses to remove these boards from the Texas Department of Health and cluster the boards into a new single state agency, it would be appropriate for that **agency** to become a member of the Council, with a single vote. Agencies, not boards are represented on the Council in most cases. The Texas State Board of Medical Examiners, for example, has three independent boards and participates as a single member agency. It should be noted, however, that collocation is an essential element in member agencies realizing the full benefit of membership in the Health Professions Council. The four mental health boards are currently represented on the Council through the Texas Department of

Health, but they feel that their representation is diluted by the fact that the Department of Health represents seventeen independent boards on the Council.

e-Texas

In December, 2000 the e-Texas Commission released its report with recommendations from the Comptroller. One of the recommendations is to require certain regulatory agencies to offer online occupational and professional licensing services through the Texas Online portal where feasible. The Council's member agencies support this recommendation. Currently most agencies lack the resources for start-up and maintenance of this system.

Recommendations for Statutory Changes With Fiscal Implications to HPC Agencies

Rider Provisions

Contingent Escalation of Licensing Fees

The current "contingent revenue rider" funding structure requires that any increase in appropriations to licensing boards be covered by new revenue. Revenue generated by an increase in the number of licensees is not counted as new revenue by the Comptroller. With additional licensees, the agency must accomplish greater work with the same number of employees and cannot provide the same level of service. The only way an agency is credited with increasing revenue is to increase fees paid by licensees.

Also, there are currently a number of major initiatives under consideration which have the potential to produce large increases in the fees if the current "contingent revenue" riders are maintained. Some of the initiatives are directly related and of benefit to the licensed professionals, but others have only limited or no benefit to the individual licensee who will bear the costs. As previously noted, the adoption of the SHCC Minimum Data Set has the potential to create additional costs to licensees, if executed and funded through the licensing boards. Other programs with the potential to impact licensee costs include the following:

- ◆ New Licensing and Enforcement Databases: While the outcome of the current DIR study of licensing and enforcement databases is not yet known, it is reasonable to assume that most of the HPC agencies will need to purchase and implement new licensing and enforcement systems in the near future. There is no way to estimate the cost at this time.
- ◆ E-Commerce: While on-line licensing should be more efficient and less costly in the future, there may be heavy costs during the implementation period.
- ◆ Professional Profiles: The Board of Medical Examiners is currently implementing a physician profile program and other licensing boards have submitted cost estimates to implement similar programs in the future.

- ◆ Document Imaging: HPC has acquired, and member agencies are in the process of implementing, an imaging system. The ongoing costs to staff, operate, and maintain the system are projected in the current HPC Legislative Appropriations Request.
- ◆ Healthcare Integrity and Protection Databank: The reporting of final actions against licensees to the federal database has placed additional demands upon agency staff. While no direct costs can be identified, the potential need for additional staff grows as agencies are required to meet new external demands.

**Health Professions Council
Administrative Office Budget**

	2000 Expended
Salaries	107,568
Other Personnel Costs	3,894
Other Operating Costs	20,539
Capital Expenditures	99,393
TOTAL	231,394
Board of Chiropractic Examiners	\$6,545
Board of Dental Examiners	20,113
Board of Medical Examiners	21,430
Board of Nurse Examiners	33,744
Executive Council of Occupational Therapy and Physical Therapy Examiners	12,117
Texas Optometry Board	11,612
Board of Pharmacy	45,963
Board of Podiatry Examiners	4,320
Department of Health, Professional Licensing & Certification Division	11,904
Board of Examiners of Psychologists	15,535
Board of Veterinary Medical Examiners	14,681
Board of Vocational Nurse Examiners	22,168
TOTAL MEMBER AGENCY TRANSFERS*	220,132
Shared Services Reimbursements**	5,819
Benefit Replacement Pay	2,909
Section 195 Salary Increase	3,600
TOTAL	232,460
Lapsed	(1,066)
TOTAL	231,394

*Includes \$100,000 Capital Expense for Shared Imaging System

**Includes reimbursements for shared services such as Toll-Free Complaint Line and Legislative Tracking Service

Report of Current Licensees & Disciplinary Actions		
Name of Board, Committee, Registry or Certification Program	Number of Current Licensees	Board-Approved Enforcement Actions
Texas Board of Chiropractic Examiners	4,620	13
Texas Board of Dental Examiners	23,054	34
Texas State Board of Medical Examiners	53,649	1,230
Board of Nurse Examiners for the State of Texas	167,022	763
Texas State Board of Occupational Therapy Examiners	6,183	12
Texas Optometry Board	3,098	4
Texas State Board of Pharmacy (Pharmacists and Pharmacies)	25,581	126
Texas State Board of Physical Therapy Examiners	11,000	35
Texas State Board of Podiatric Medical Examiners	760	9
Texas State Board of Examiners of Psychologists	6,669	30
Texas State Board of Veterinary Medical Examiners	6,178	25
Texas Board of Vocational Nurse Examiners	74,139	413
Texas Dept. of Health, Professional Licensing and Certification Div.:		
Advisory Board of Athletic Trainers	1,541	2
Texas State Board of Examiners of Dietitians	3,272	0
State Committee of Examiners - Fitting & Dispensing of Hearing	373	13
Texas State Board of Examiners of Marriage and Family Therapists	3,462	13
Massage Therapy Registration Program	17,122	38
Texas Board of Licensure for Professional Medical Physicists	384	1
Medical Radiologic Technologists Certification Program	18,007	80
Opticians' Registry	778	0
Contact Lens Permit Program	315	7
Texas State Board of Examiners of Perfusionists	280	1
Texas State Board of Examiners of Professional Counselors	13,914	10
Registry for Providers of Health-Related Services	7	N/A
Respiratory Care Practitioner Advisory Committee	9,420	52
Texas State Board of Social Worker Examiners	19,700	30
State Board of Examiners for Speech-Language Pathology and Audiology	9,621	18
Council on Sex Offender Treatment	322	5
Texas Midwifery Board	214	7
Texas Board of Orthotics and Prosthetics	472	1

Note: See Appendix A for agency detail.

**APPENDIX A
AGENCY REPORTS ON
DISCIPLINARY ACTION DATA**

Texas Board of Chiropractic Examiners

1. Total number of licensees:	4,620
2. Total number of new licenses issued:	335
3. Total number of renewal licenses issued:	4,285
4. Total number of complaints received:	240
5. Total number of jurisdictional complaints received:	324
6. Total number of jurisdictional complaints resolved:	240
7. Average length of time required for jurisdictional complaint resolution:	85 days
8. Total number and types of board-approved disciplinary actions taken:	13
Letter of Warning:	0
Letter of Reprimand:	1
Agreed Order (Compliance):	12

Statutory Authority: Article 4512b
Occupations Code, Chapter 201

Texas State Board of Dental Examiners

1.	Total number of licensees:		23,054
	Dentists:		13,086
	Dental Hygienists:		8,908
	Dental Laboratories:		1,060
2.	Total number of new licenses issued:		870
	Dentists:	400	
	Dental Hygienists:	415	
	Dental Laboratories:	55	
3.	Total number of renewal licenses issued:		19,732
	Dentists:	10,916	
	Dental Hygienists:	7,865	
	Dental Laboratories:	951	
4.	Total number of complaints received:		696
5.	Total number of jurisdictional complaints received:		617
6.	Total number of jurisdictional complaints resolved:		405
7.	Average length of time required for jurisdictional complaint resolution:		490.5 days
8.	Total number of cases heard at Settlement Conferences:		50
9.	Total number of cases heard at State Office of Admin. Hearings:		13
10.	Total number & types of cases disposed of by Board Order:		34
	Agreed Settlement Cases:	20	
	Contested Cases:	14	

Statutory Authority: Texas Occupations Code, Title 3-D, Vernon 2000.

Texas State Board of Medical Examiners

1.	Total number of licensees:			53,649
	Physicians:	51,008		
	Acupuncturists:	409		
	Physician Assistant:	2,237		
2.	Total number of new licenses issued:			4,868
	Physicians:	4,567		
	Acupuncturists:	30		
	Physician Assistant:	271		
3.	Total number of renewal licenses issued:			58,252
	Physicians:	55,567		
	Acupuncturists:	318		
	Physician Assistant:	2,367		
4.	Total number of complaints received:			4,427
5.	Total number of jurisdictional complaints received:			1,458
	Physicians:	1,380		
	Acupuncturists:	3		
	Physician Assistant:	50		
	Other:	25		
6.	Total number of jurisdictional complaints resolved:			1,230
	Physicians:	1,183		
	Acupuncturists:	3		
	Physician Assistant:	44		
	Other:	0		
7.	Average length of time required for jurisdictional complaint resolution:			Physicians - 328 days Acupuncturists - 287 days Physician Assistants - 331 days
8.	Total number and types of board-approved disciplinary actions taken:			123
		<u>Physician</u>	<u>Acupuncturists</u>	<u>Physician Assis.</u>
	Temporary Suspension:	7	0	N/A*
	Revocation/Surrender:	19	0	1
	Suspension:	25	0	2
	Restriction:	38	0	6
	Reprimand:	13	0	1
	Administrative Penalty:	11	0	0
	Total number of disciplinary actions	113	0	10
	Statutory Authority:	Physicians - Texas Occupations Code Annotated, Chapter 164 Physician Assistants - Texas Occupations Code Annotated, Chapter 204 Acupuncturists - Texas Occupations Code Annotated, Chapter 205 *There is no statutory authority to temporarily suspend a Physician Assistant.		

Board of Nurse Examiners of the State of Texas

1.	Total number of licensees:	167,022
2.	Total number of new licenses issued:	8,691
3.	Total number of renewal licenses issued:	75,227
4.	Total number of complaints received:	2,545
5.	Total number of jurisdictional complaints received:	2,424
6.	Total number of jurisdictional complaints resolved:	2,089
7.	Average length of time required for jurisdictional complaint resolution:	257 days
8.	Total number (licensees) and types of board-approved disciplinary sanctions imposed:	763
	Fines:	55
	Fine with Remedial Education:	106
	Limited License:	4
	Remedial Education:	56
	Reprimand:	0
	Reprimand with Stipulations:	129
	Revocation:	70
	Stipulations Only:	15
	Suspension:	2
	Suspension with Probation:	6
	Voluntary Surrender:	73
	Warning:	6
	Warning with Stipulations:	135
	Reinstated with Stipulations:	17
	Reinstatement Denied:	7
	Ordered to Peer Assistance Program:	47
	License Denied:	5
	Eligibility Orders w/Stipulations:	30

Statutory Authority: Texas Occupations Code, Chapters 301 and 303;
 Vernon's Civil Statutes of the State of Texas, Articles 4514, §8(c);
 4518, §4; 4519a, §1; 4525.01; 4527a, §3; 4527e and 4528b.

Texas State Board of Occupational Therapy Examiners

1.	Total number of licensees:	6,183
2.	Total number of new licenses issued:	590
3.	Total number of renewal licenses issued:	3,031
4.	Total number of complaints received:	68
5.	Total number of jurisdictional complaints received:	68
6.	Total number of jurisdictional complaints resolved:	42
7.	Average length of time required for jurisdictional complaint resolution:	125 days
8.	Total number and types of board-approved disciplinary actions taken:	12
	Community Service (Probation):	2
	Suspended License:	8
	Fines:	1
	Revocation:	1

Statutory Authority: Title 3, Subtitle H, Chapter 454, Occupations Code.

"Sec. 454.301. GROUNDS FOR DENIAL OF LICENSE OR DISCIPLINE OF LICENSE HOLDER.

(a) The board may deny, suspend, or revoke a license or take other disciplinary action against a license holder if the applicant or license holder has:"

Texas Optometry Board

1.	Total number of licensees:	3,098
2.	Total number of new licenses issued:	156
3.	Total number of renewal licenses issued:	2,967
4.	Total number of complaints received:	135
5.	Total number of jurisdictional complaints received:	116
6.	Total number of jurisdictional complaints resolved:	118
7.	Average length of time required for jurisdictional complaint resolution:	77.65 days
8.	Total number and types of board-approved disciplinary actions taken:	4
	License Suspended:	3
	Formal Reprimands:	1

Statutory Authority: Chapter 351.501, Occupations Code: Board may refuse to issue a license to an applicant, revoke or suspend a license, place on probation a person whose license has been suspended, impose a fine, impose a stipulation, limitation, or condition, relating to continued practice, including conditioning practice on counseling or additional education, or reprimand a licensee.

Texas State Board of Pharmacy

1.	Total number of licensees:		25,581
	Pharmacists:	20,085	
	Pharmacies:	5,496	
2.	Total number of new licenses issued:		1,605
	Pharmacists:	782	
	Pharmacies:	823	
3.	Total number of renewal licenses issued:		25,162
	Pharmacists:	20,067	
	Pharmacies:	5,095	
4.	Total number of complaints received:		1,577
5.	Total number of jurisdictional complaints received:		1,528
6.	Total number of jurisdictional complaints resolved:		1,472
7.	Average length of time required for jurisdictional complaint resolution:		224 days
8.	Total number and types of board-approved disciplinary actions taken:		126
	Revoke:	8	
	Retire:	6	
	Canceled:	0	
	Restrict:	4	
	Suspend:	6	
	Suspend/Probate with Conditions:	29	
	Suspend/Probate with Conditions and Administrative Penalty (Fine):	6	
	Issue License/Suspend/Probate with Conditions:	1	
	Grand Internship with Conditions:	2	
	Grant Reinstatement/Suspend/Probate with Conditions:	3	
	Fine and Reprimand:	9	
	Fine and Reprimand with Conditions:	1	
	Fine and Conditions:	16	
	Fine:	9	
	Reprimand with Conditions:		6
	Reprimand:	15	
	Modification of Previously Entered Order:	5	

Statutory Authority: Texas Occupations Code, Title 3, Subtitle J, Section 565.001 and 565.002. The board may in its discretion refuse to issue or renew a license or may assess a penalty, reprimand, revoke, restrict, cancel, retire, or suspend any license granted by the board and may probate any license suspension.

Texas State Board of Physical Therapy Examiners

1.	Total number of licensees:	11,000
2.	Total number of new licenses issued:	885
3.	Total number of renewal licenses issued:	5,301
4.	Total number of complaints received:	177
5.	Total number of jurisdictional complaints received:	177
6.	Total number of jurisdictional complaints resolved:	156
7.	Average length of time required for jurisdictional complaint resolution:	147 days
8.	Total number and types of board-approved disciplinary actions:	35
	Community Service (Probation):	5
	Suspended License:	28
	Suspended License with Restrictions/Fine:	0
	Fine Only:	2

Statutory Authority: Title 3, Subtitle H, Chapter 452, Occupations Code:

"Sec. 452.351. GROUNDS FOR DENIAL OF LICENSE OR DISCIPLINE OF LICENSE HOLDER.

(a) The board may deny a license or suspend or revoke a license, place a license holder on probation, reprimand a license holder, impose an administrative penalty, or otherwise discipline a license holder if the applicant or license holder has:

(b) The board shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of this chapter or a rule adopted by the board.

Texas State Board of Podiatric Medical Examiners

1.	Total number of licensees:	760
2.	Total number of new licenses issued:	60
3.	Total number of renewal licenses issued:	760
4.	Total number of complaints received:	106
5.	Total number of jurisdictional complaints received:	90
6.	Total number of jurisdictional complaints resolved:	105
7.	Average length of time required for jurisdictional complaint resolution:	670.86 days
8.	Total number and types of board-approved disciplinary actions taken:	9
	Advertising:	5
	Negligence:	2
	Fraud:	2

Statutory Authority: Texas Occupations Code, Chapter 202, Sections 202.551 and 202.502.

Texas State Board of Examiners of Psychologists

1.	Total number of licensees:	6,669
2.	Total number of new licenses issued:	397
3.	Total number of renewal licenses issued:	6,269
4.	Total number of complaints received:	177
5.	Total number of jurisdictional complaints received:	171
6.	Total number of jurisdictional complaints resolved:	202
7.	Average length of time required for jurisdictional complaint resolution:	579.99 days
8.	Total number and types of board-approved disciplinary actions taken:	30
	Revocations:	4
	Suspensions:	2
	Resignation in Lieu of Adjudication:	9
	Suspension with Probation:	1
	Probation:	0
	Reprimand:	3
	Administrative Penalty:	10
	Agreed Order:	1

Statutory Authority: Occupations Code, Title 3, Subtitle I, Chapter 501. Psychologists, Section 501.401, the Board shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license, and, if a license is probated, the Board may require the licensee to report regularly to the Board, limit practice to areas prescribed by the Board or continue or review professional education until the licensee attains a degree of skill satisfactory to the Board. Section 501.451, the Board may impose an administrative penalty against a person licensed or regulated by the Act who violates this Act or a rule or order adopted under the Act. Section 501.404, the Board shall adopt a broad schedule of sanctions for violations of the Act.

Texas State Board of Veterinary Medical Examiners

1.	Total number of licensees:*	6,178
2.	Total number of new licenses issued:**	281
3.	Total number of renewal licenses issued:**	5,836
4.	Total number of complaints received:	228
5.	Total number of jurisdictional complaints received:	228
6.	Total number of jurisdictional complaints resolved:	183
7.	Average length of time required for jurisdictional complaint resolution:	138 days
8.	Total number and types of board-approved disciplinary actions taken:	25
	License Suspension - All Probated, with fine:	2
	Reprimand:	2
	Reprimand, with fine:	1
	Reprimand, take jurisprudence exam:	2
	Fine Only:	18

Statutory Authority: Occupation Code, Sec. 801.401. The Board may revoke or suspend a license, impose a civil penalty, place a licensee or person whose license has been suspended on probation, or reprimand a licensee. The Board may require that a licensee who violates this Act participate in continuing education programs. The Board may also require a suspended licensee on probation to report regularly to the Board or limit practice to the areas prescribed by the Board.

*As of end of Fiscal Year 2000 (08-31-2000), includes provisional license.

**Taken off of annual report of measures (10-02-2000).

DEMO

Examiners

1.	Total number of licensees:	74,139
2.	Total number of new licenses issued:	4,256
3.	Total number of renewal licenses issued:	36,651
4.	Total number of complaints received:	1,427
5.	Total number of jurisdictional complaints received:	1,194
6.	Total number of jurisdictional complaints resolved:	1,164
7.	Average length of time required for jurisdictional complaint resolution:	183 days
8.	Total number and types of board-approved disciplinary actions taken:	413
	Reprimand:	6
	Fines:	60
	Suspend/Probate:	189
	Suspend:	43
	Revoke:	114
	Deny Reinstatement:	1

Statutory Authority: Chapter 302, Texas Occupations Code, Section 302.403.

Advisory Board of Athletic Trainers

1.	Total number of licensees:	1,541
2.	Total number of new licenses issued:	167
3.	Total number of renewal licenses issued:	1,374
4.	Total number of complaints received:	5
5.	Total number of jurisdictional complaints received:	4
6.	Total number of jurisdictional complaints resolved:	3
7.	Average length of time required for jurisdictional complaint resolution:	59 days
8.	Total number and types of board-approved disciplinary actions taken:	2
	Cease & Desist Letters:	2

Statutory Authority: Texas Occupations Code, Chapter 451, Section 451.251 and Texas Civil Statutes, Art. 4512(d): Section 12, 15A authorize license revocation, suspension, probation, denial and administrative penalties for violations of the Athletic Trainers Act or the rules of the Advisory Board of Athletic Trainers.

Texas State Board of Examiners of Dietitians

1. Total number of licensees:	3,373
2. Total number of new licenses issued:	248
3. Total number of renewal licenses issued:	2,960
4. Total number of complaints received:	0
5. Total number of jurisdictional complaints received:	0
6. Total number of jurisdictional complaints resolved:	0
7. Average length of time required for jurisdictional complaint resolution:	N/A
8. Total number of board-approved disciplinary actions taken:	0

Statutory Authority: Texas Occupations Code, Chapter 701, Subchapters E and I.

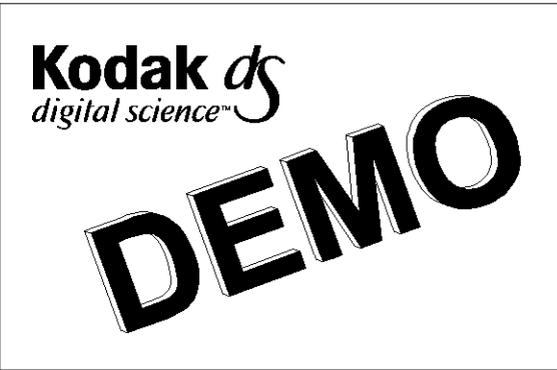
State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments

1.	Total number of licensees:		373
2.	Total number of new licenses issued:		24
3.	Total number of temporary licenses issued:		32
4.	Total number of apprentice licenses issued:		23
5.	Total number of renewal licenses issued:		294
6.	Total number of complaints received:		63
7.	Total number of jurisdictional complaints received:		62
8.	Total number of jurisdictional complaints resolved:		68
7.	Average length of time required for jurisdictional complaint resolution:		69 days
8.	Total number of board-approved disciplinary actions taken:		13
	Warning letters:	2	
	Administrative Penalties:		2
	Cease & Desist Letters:		1
	Informal Settlements:		4
	Revocation:	3	
	Suspension:	1	

Statutory Authority: Texas Occupations Code, Chapter 402, Section 402.501, Section 402.551 and Section 402.552.

Texas State Board of Examiners of Marriage and Family Therapists

1.	Total number of licensees:		3,462
2.	Total number of new licenses issued:		74
	Temporary licenses:		101
	Provisional licenses:		0
3.	Total number of renewal licenses issued:		3,287
4.	Total number of complaints received:		42
5.	Total number of judgments:		42
6.	Total number of judgments:		37
7.	Average length of investigation:	59 days	
8.	Total number and type of disciplinary actions:		
	Warning Letters:	3	13
	Surrender:	2	
	Cease and Desist Letters:		4
	Expiration during Investigation:	6	



Statutory Authority: Texas Occupations Code, Chapter 502, Section 502.351, Section 502.401 and Section 502.451.

Massage Therapy Registration Program

1.	Total number of registrants:		
	Massage Therapists:		17,122
	Massage Therapy School/Training Programs:	63	
	Massage Therapy Instructors:	431	
	Massage Therapy Establishments:	185	
	Duplicates:	240	
2.	Total number of new registrations issued:		2,548
	Massage Therapists:		
	Massage Therapy Schools:	8	
	Massage Therapy Instructors:	96	
	Massage Therapy Establishments:	52	
3.	Total number of renewal registrations issued:		14,574
	Massage Therapists:		
	Massage Therapy Schools:	55	
	Massage Therapy Instructors:	355	
	Massage Therapy Establishments:	133	
	Duplicates:	240	
4.	Total number of complaints received:		132
5.	Total number of jurisdictional complaints received:		132
6.	Total number of jurisdictional complaints resolved:		125
7.	Average length of time required for jurisdictional complaint resolution:		157 days
8.	Total number and types of board-approved disciplinary actions taken:		38
	Massage Therapist Revocation:	1	
	Massage Therapist Suspension:	1	
	Massage Therapists Denial for Renewal:	2	
	Surrenders:	6	
	Warning Letters:	6	
	Cease & Desist Letters:	3	
	Administrative Penalties:	9	
	Informal Settlement:	8	
	Expiration during Investigation:	2	

Statutory Authority: Texas Occupations Code, Chapter 455, Section 455.251, regulation of massage therapists, massage therapy schools, massage therapy instructors and massage establishments. Types of actions are denial, reprimand, probation, suspension, or revocation.

Texas Board of Licensure for Professional Medical Physicists

1.	Total number of licensees:	384
2.	Total number of new temporary licenses issued:	52
3.	Total number of renewal licenses issued:	329
4.	Total number of complaints received:	0
5.	Total number of jurisdictional complaints received:	0
6.	Total number of jurisdictional complaints resolved:	1
7.	Average length of time required for jurisdictional complaint resolution:	N/A
8.	Total number of board-approved disciplinary actions taken:	1
	Suspension:	1

Statutory Authority: Texas Occupations Code, Chapter 602, Section 602.151.

Medical Radiologic Technologists Certification Program

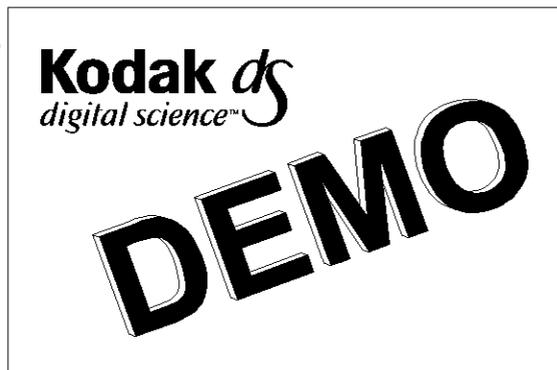
1.	Total number of licensees:		18,007
2.	Total number of new licenses issued:		2,130
	General Certificate:		1,209
	Limited Certificate:		182
	Temporary General Certificate:	590	
	Temporary Limited Certificate:	149	
3.	Total number of renewal licenses issued:		9,357
4.	Total number of complaints received:		89
5.	Total number of jurisdictional complaints received:		81
6.	Total number of jurisdictional complaints resolved:		78
7.	Average length of time required for jurisdictional complaint resolution:		36 days
8.	Total number of board-approved disciplinary actions taken:		80
	Warning Letters:	77	
	Suspension with Probation:	2	
	Revocation:	1	

Statutory Authority: Texas Occupations Code, Chapter 601, Section 601.053.

Opticians' Registry

1. Total number of registrants (including dual registrants):	778
2. Total number of new registrations issued:	5
3. Total number of renewal registrations issued (191 dual registrations):	964
4. Total number of complaints received:	2
5. Total number of jurisdictional complaints received:	0
6. Total number of jurisdictional complaints resolved:	0
7. Average length of time required for jurisdictional complaint resolution:	48 days
8. Total number of board-approved disciplinary actions taken:	0

Statutor



Code, Chapter 352, Section 352.251
ates, Article 4551-1, Section 12
suspension, revocation, or probation of a
gistration for violations of the
Act or rules. Texas Occupations Code,
1 352.301 authorizes the imposition of
ties for violations.

Contact Lens Permit Program:

1.	Total number of permit holders:	315
2.	Total number of new permits issued:	20
3.	Total number of renewal permits issued:	295
4.	Total number of complaints received:	37
5.	Total number of jurisdictional complaints received:	32
6.	Total number of jurisdictional complaints resolved:	20
7.	Average length of time required for jurisdictional complaint resolution:	55 days
8.	Total number of board-approved disciplinary actions taken:	7
	Cease and Desist Letters:	3
	Warning Letters:	2
	Informal Settlement:	2

Statutory Authority: Texas Occupations Code, Chapter 353, Section 353.202 and Section 353.205 authorizes revocation, suspension, probation or administrative penalties against a permit holder for violations of the Contact Lens Prescription Act.

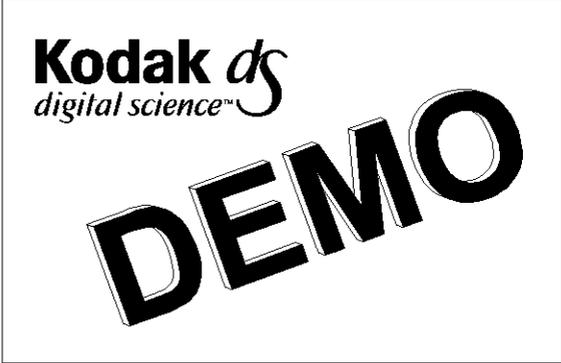
Texas State Board of Examiners of Perfusionists

1.	Total number of licensees:	280
2.	Total number of new licenses issued:	13
3.	Total number of provisional licenses issued:	13
4.	Total number of renewal licenses issued:	254
5.	Total number of complaints received:	0
5.	Total number of jurisdictional complaints received:	0
6.	Total number of jurisdictional complaints resolved:	1
7.	Average length of time required for jurisdictional complaint resolution:	N/A
8.	Total number of board-approved disciplinary actions taken:	1
	Suspensions:	1

Statutory Authority: Texas Occupations Code, Chapter 603, Section 603.401, Section 603.451 and Section 603.452.

Texas State Board of Examiners of Professional Counselors

1.	Total number of licensees:		13,914
2.	Total number of new licenses issued:		2,062
	Temporary licenses:	1,163	
3.	Total number of renewal licenses issued:		10,342
4.	Total number of complaints received:		112
5.	Total number of jurisdictional complaints received:		108
6.	Total number of jurisdictional complaints resolved:		79
7.	Average length of time required for jurisdictional complaint resolution:		137 days

8.		Total disciplinary actions taken:	10
			2
			6
			2

Occupations Code, Chapter 503, Section 503.201, and 503.401.

Registry for Providers of Health-Related Services

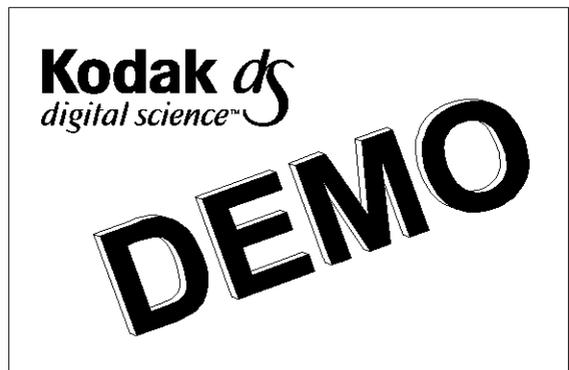
1. Total number of registrants:	7
2. Total number of new registrations issued:	0
3. Total number of complaints received:	N/A
4. Total number of jurisdictional complaints received:	N/A
5. Total number of jurisdictional complaints resolved:	N/A
6. Average length of time required for jurisdictional complaint resolution:	N/A
7. Total number of board-approved disciplinary actions taken:	N/A

Statutory Authority: Health and Safety Code. Section 12.014 does not provide statutory authority to investigate or discipline voluntary registrants of the Registry for Providers of Health-Related Services.

Respiratory Care Practitioners Advisory Committee

1.	Total number of licensees:		9,420
	Temporary Licenses:	228	
2.	Total number of new licenses issued:		1,317
	Temporary permits:	551	
3.	Total number of renewal licenses issued:		8,250
4.	Total number of complaints received:		91
5.	Total number of jurisdictional complaints received:		85
6.	Total number of jurisdictional complaints resolved:		77
7.	Average length of time required for jurisdictional complaint resolution:		66 days
8.	Total number of board-approved disciplinary actions taken:		52
	Surrender:	1	
	Administrative Penalties:	39	
	Warning Letters:	8	
	Cease and Desist Letters:	1	
	Denial:	1	
	Revocation:	2	

Statutory Authority: Texas Occupations Code, Chapter 604, Subchapter E.



Texas State Board of Social Worker Examiners

1.	Total number of licensees:	
2.	Total number of new licenses issued:	
3.	Total number of renewal licenses processed:	
4.	Total number of license upgrades processed:	702
5.	Total number of license re-applications processed:	160
6.	Total number of complaints received:	91
5.	Total number of jurisdictional complaints received:	86
6.	Total number of jurisdictional complaints resolved:	92
7.	Average length of time required for jurisdictional complaint resolution:	171 days
8.	Total number and types of board-approved disciplinary actions taken:	30
	Cease and Desist:	1
	Surrender While Under Investigation:	11
	Revocation:	1
	Reprimand:	4
	Warning letters:	9
	Suspension:	1
	Informal Settlement:	3

Statutory Authority: Texas Occupations Code, Chapter 505, Section 505.001 - reprimand, suspension, probation and revocation.

State Board of Examiners for Speech-Language Pathology and Audiology

1.	Total number of licensees:	9,621
2.	Total number of new licenses issued:	1,432
3.	Total number of renewal licenses issued:	7,651
4.	Total number of complaints received:	38
5.	Total number of jurisdictional complaints received:	38
6.	Total number of jurisdictional complaints resolved:	26
7.	Average length of time required for jurisdictional complaint resolution:	97 days
8.	Total number and types of board-approved disciplinary actions taken:	18
	Warning Letters:	8
	Letter of Reprimand:	5
	Probated Suspension:	2
	Cease and Desist Letters:	2
	Informal Settlement:	1

Statutory Authority: Texas Occupations Code, Chapter 401, Section 401.451, Section 401.453, Section 401.458, Section 401.459, Section 401.455 and Section 401.452.

Council on Sex Offender Treatment

1. Total number of licensees:	322
2. Total number of new licenses issued:	59
3. Total number of renewal licenses issued:	344
4. Total number of complaints received:	19
5. Total number of jurisdictional complaints received:	17
6. Total number of jurisdictional complaints resolved:	18
8. Average length of time required for jurisdictional complaint resolution:	52 days
8. Total number and types of board-approved disciplinary actions taken:	5
Warning Letters:	4
Reprimand:	1

Statutory Authority: Texas Civil Statutes, Article 4413 (51), Section 13C.

Texas Board of Orthotics and Prosthetics

1. Total number of licensees:	472
2. Total number of new licenses issued:	49
3. Total number of renewal licenses issued:	73
4. Total number of complaints received:	21
5. Total number of jurisdictional complaints received:	21
6. Total number of jurisdictional complaints resolved:	2
9. Average length of time required for jurisdictional complaint resolution:	90 days
8. Total number and types of board-approved disciplinary actions taken:	1
Denial:	1

Statutory Authority: Texas Occupations Code, Chapter 605, Subchapter H.

Texas Midwifery Board

1. Total number of documented midwives:	214
2. Total number of new documentations:	20
3. Total number of renewals:	194
4. Total number of complaints received:	9
5. Total number of jurisdictional complaints received:	9
6. Total number of jurisdictional complaints resolved:	15
7. Average length of time required for jurisdictional complaint resolution:	166 days
8. Total number and types of board-approved disciplinary actions taken:	7
Administrative Penalties:	2
Informal Settlement:	1
Warning Letter:	3
Reprimand:	1

Statutory Authority: Texas Occupations Code, Chapter 203 Midwives ("Texas Midwifery Act") Section 203.151 authorizes the midwifery board to adopt and implement substantive and procedural rules with the approval of the board of health as necessary to discipline midwives. Section 203.404 provides grounds for discipline; Section 203.451 also authorizes the midwifery board to impose an administrative penalty upon any person violating the chapter or rules adopted under the chapter.

