

Self Evaluation Report
to
Sunset Advisory Commission



**Texas State Board of Examiners of
Psychologists**

August 18, 2003

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Texas State Board of Examiners of Psychologists Self-Evaluation Report

I. Key Functions, Powers, and Duties

A. Provide an overview of the agency's mission, key functions, powers, and duties. Specify which duties are statutory.

Mission:

The mission of the Texas State Board of Examiners of Psychologists is to protect the public by ensuring that psychological services are provided to the people of Texas by qualified and competent practitioners who adhere to established professional standards.

Functions:

The Board accomplishes this mission through its regulation of the practice of psychology by:

11. **Licensure:** Establishing educational, experience, and examination requirements for licensure and requiring annual renewal of licensure with continuing education.
2. **Enforcement:** Investigating and enforcing compliance with the requirements of the Psychologists' Licensing Act, rules, and regulations of the Board.
3. **Information:** Serving as a source of information to the public, the profession, and governmental entities.

All of these functions, powers, and duties are statutory.

B. Does the agency's enabling law correctly reflect the agency's mission, key functions, powers, and duties.

The Psychologist's Licensing Act, Chapter 501, of the Occupations Code, correctly reflects the agency's mission, key functions, powers and duties.

C. Please explain why these functions are needed. Are any of these functions required by federal law?

These functions protect the public in that the public may know that persons in Texas who are licensed to provide psychological services have met a minimum standard of competence.

Additionally, the public may file a complaint against any licensee of the Board and the Board is charged to investigate it and take disciplinary actions for violations.

The Board also serves a resource to licensees and to the public regarding the practice of psychology.

These functions are not required by federal law.

Additional Information and Resources for Understanding the Practice of Psychology:

To provide greater insight into the practice of psychology which is regulated by the Texas State Board of Examiners of Psychologists, the following information is provided from the U.S. Department of Labor, Bureau of Labor Statistics: [Occupational Outlook Handbook](http://www.bls.gov/oco/ocos56.htm) (<http://www.bls.gov/oco/ocos56.htm>)

Psychologists

Significant Points

- More than 4 out of 10 psychologists are self-employed, about 6 times the average for professional workers.
- A doctoral degree usually is required for employment as a licensed clinical or counseling psychologist.
- Opportunities for employment in psychology for those with only a bachelor's degree are extremely limited.

Nature of the Work

Psychologists study the human mind and human behavior. Research psychologists investigate the physical, cognitive, emotional, or social aspects of human behavior. Psychologists in applied fields provide mental health care in hospitals, clinics, schools, or private settings.

Like other social scientists, psychologists formulate hypotheses and collect data to test their validity. Research methods vary depending on the topic under study. Psychologists sometimes gather information through controlled laboratory experiments or by administering personality, performance, aptitude, and intelligence tests. Other methods include observation, interviews, questionnaires, clinical studies, and surveys. Psychologists apply their knowledge to a wide range of endeavors, including health and human services, management, education, law, and sports. In addition to a variety of work settings, psychologists usually specialize in one of a number of different areas.

Clinical psychologists—who constitute the largest specialty—usually work in counseling centers, independent or group practices, hospitals, or clinics. They help mentally and emotionally disturbed clients adjust to life and may help medical and surgical patients deal with illnesses or injuries. Some work in physical rehabilitation settings, treating patients with spinal cord injuries, chronic pain or illness, stroke, arthritis, and neurologic conditions. Others help people deal with times of personal crisis, such as divorce or the death of a loved one. Clinical psychologists often interview patients and give diagnostic tests. They may provide individual, family, or group psychotherapy, and design and implement behavior modification programs. Some clinical psychologists collaborate with physicians and other specialists to develop and implement treatment and intervention programs that patients can understand and comply with. Other clinical psychologists work in universities and medical schools, where they train graduate students in the delivery of mental health and behavioral medicine services. Some administer community mental health programs. Areas of specialization within clinical psychology include health psychology, neuropsychology, and geropsychology.

Health psychologists promote good health through health maintenance counseling programs designed to help people achieve goals such as to stop smoking or lose weight.

Neuropsychologists study the relation between the brain and behavior. They often work in stroke and head injury programs.

Geropsychologists deal with the special problems faced by the elderly. The emergence and growth of these specialties reflects the increasing participation of psychologists in providing direct services to special patient populations.

Counseling psychologists use various techniques, including interviewing and testing, to advise people on how to deal with problems of everyday living. They work in settings such as university counseling centers, hospitals, and individual or group practices.

School psychologists work in elementary and secondary schools or school district offices to resolve students' learning and behavior problems. They collaborate with teachers, parents, and school personnel to improve classroom management strategies or parenting skills, counter substance abuse, work with students with disabilities or gifted and talented students, and improve teaching and learning strategies. They may evaluate the effectiveness of academic programs, behavior management procedures, and other services provided in the school setting.

Industrial-organizational (I/O) psychologists apply psychological principles and research methods to the workplace in the interest of improving productivity and the quality of worklife. They also are involved in research on management and marketing problems. They conduct applicant screening, training and development, counseling, and organizational development and analysis. An industrial psychologist might work with management to reorganize the work setting to improve productivity or quality of life in the workplace. They frequently act as consultants, brought in by management in order to solve a particular problem.

Developmental psychologists study the physiological, cognitive, and social development that takes place throughout life. Some specialize in behavior during infancy, childhood, and adolescence, or changes that occur during maturity or old age. They also may study developmental disabilities and their effects. Increasingly, research is developing ways to help elderly people stay as independent as possible.

Social psychologists examine people's interactions with others and with the social environment. They work in organizational consultation, marketing research, systems design, or other applied psychology fields. Prominent areas of study include group behavior, leadership, attitudes, and perception.

Experimental or research psychologists work in university and private research centers and in business, nonprofit, and governmental organizations. They study behavior processes with human beings and animals such as rats, monkeys, and pigeons. Prominent areas of study in experimental research include motivation, thinking, attention, learning and memory, sensory and perceptual processes, effects of substance abuse, and genetic and neurological factors affecting behavior.

Working Conditions

A psychologist's specialty and place of employment determine working conditions. Clinical, school, and counseling psychologists in private practice have their own offices and set their own hours. However, they often offer evening and weekend hours to accommodate their clients. Those employed in hospitals, nursing homes, and other health facilities may work shifts including evenings and weekends, while those who work in schools and clinics generally work regular hours. Psychologists employed as faculty by colleges and universities divide their time between teaching and research and also may have administrative responsibilities. Many have part-time consulting practices. Most psychologists in government and industry have structured schedules. Increasingly, many work as part of a team and consult with other psychologists and professionals. Many psychologists experience pressures due to deadlines, tight schedules, and overtime work. Their routine may be interrupted frequently. Travel usually is required to attend conferences or conduct research.

Employment

Psychologists held about 182,000 jobs in 2000. Educational institutions employed about 4 out of 10 salaried psychologists in positions other than teaching, such as counseling, testing, research, and administration. Three out of 10 were employed in health services, primarily in hospitals, mental health clinics, rehabilitation centers, nursing homes, and other health facilities. Government agencies at the Federal, State, and local levels employed more than 1 in 10 in hospitals, clinics, correctional facilities, and other settings. The U.S. Departments of Veterans Affairs and of Defense employ a majority of the psychologists working for Federal agencies. Some psychologists work in social service organizations, research organizations, management consulting firms, marketing research firms, and other businesses. After several years of experience, some psychologists—usually those with doctoral degrees—enter private practice or set up private research or consulting firms. More than 4 out of 10 psychologists were self-employed. In addition to the jobs described above, many psychologists held faculty positions at colleges and universities, and as high school psychology teachers.

Training, Other Qualifications, and Advancement

A doctoral degree is usually required for employment as a licensed clinical or counseling psychologist. Psychologists with a Ph.D. qualify for a wide range of teaching, research, clinical, and counseling positions in universities, healthcare services, elementary and secondary schools, private industry, and government. Psychologists with a Doctor of Psychology (Psy.D.) degree usually work in clinical positions or in private practices. An Educational Specialist (Ed.S.) degree will qualify an individual to work as a school psychologist. Persons with a master's degree in psychology may work as industrial-organizational psychologists. They also may work as psychological assistants, under the supervision of doctoral-level psychologists, and conduct research or psychological evaluations. A bachelor's degree in psychology qualifies a person to assist psychologists and other professionals in community mental health centers, vocational rehabilitation offices, and correctional programs. They may work as research or administrative assistants or become sales or management trainees in business. Some work as technicians in related fields such as marketing research. Clinical psychologists usually must have completed the Ph.D. or Psy.D. requirements and served an internship. Vocational and guidance counselors usually need 2 years of graduate study in counseling and 1 year of counseling experience. School psychology requires a master's degree followed by a 1-year internship. In the Federal Government, candidates having at least 24 semester hours in psychology and one course in statistics qualify for entry-level positions. However, competition for these jobs is keen because this is one of the few areas in which one can work as a psychologist without an advanced degree.

A doctoral degree usually requires 5 to 7 years of graduate study. The Ph.D. degree culminates in a dissertation based on original research. Courses in quantitative research methods, which include the use of computer-based analysis, are an integral part of graduate study and are necessary to complete the dissertation. The Psy.D. may be based on practical work and examinations rather than a dissertation. In clinical or counseling psychology, the requirements for the doctoral degree usually include at least a 1-year internship.

A master's degree in psychology requires at least 2 years of full-time graduate study. Requirements usually include practical experience in an applied setting and a master's thesis based on an original research project. Competition for admission into graduate programs is keen. Some universities require an undergraduate major in psychology. Others prefer only course work in basic psychology with courses in the biological, physical, and social sciences; and statistics and mathematics.

Psychologists in independent practice or those who offer any type of patient care—including clinical, counseling, and school psychologists—must meet certification or licensing requirements in all States and the District of Columbia. Licensing laws vary by State and by type of position and require licensed or certified psychologists to limit their practice to areas in which they have developed professional competence through training and experience. Clinical and counseling psychologists usually require a doctorate in psychology, completion of an approved internship, and 1 to 2 years of professional experience. In addition, all States require that applicants pass an examination. Most State boards administer a standardized test and many supplement that with additional oral or essay questions. Most States certify those with a master's degree as school

psychologists after completion of an internship. Some States require continuing education for license renewal.

The American Psychological Association (APA) presently accredits doctoral training programs in clinical, counseling, and school psychology. The National Council for Accreditation of Teacher Education, with the assistance of the National Association of School Psychologists, also is involved in the accreditation of advanced degree programs in school psychology. The APA also accredits institutions that provide internships for doctoral students in school, clinical, and counseling psychology.

The American Board of Professional Psychology (ABPP) recognizes professional achievement by awarding certification, primarily in clinical psychology, clinical neuropsychology, counseling, forensic, industrial-organizational, and school psychology. Candidates for ABPP certification need a doctorate in psychology, 5 years of experience, professional endorsements, and a passing grade on an examination.

Aspiring psychologists who are interested in direct patient care must be emotionally stable, mature, and able to deal effectively with people. Sensitivity, compassion, and the ability to lead and inspire others are particularly important qualities for clinical work and counseling.

Research psychologists should be able to do detailed work independently and as part of a team. Excellent communications skills are necessary to succeed in research. Patience and perseverance are vital qualities because results from psychological treatment of patients or from research usually take a long time.

Job Outlook

Employment of psychologists is expected to grow about as fast as the average for all occupations through 2010. Employment in healthcare will grow fastest in outpatient mental health and substance abuse treatment clinics. Numerous job opportunities will also arise in schools, public and private social service agencies, and management consulting services. Companies will use psychologists' expertise in survey design, analysis, and research to provide marketing evaluation and statistical analysis. The increase in employee assistance programs, which offer employees help with personal problems, also should spur job growth.

Opportunities for people holding doctorates from leading universities in areas with an applied emphasis, such as counseling, health, and educational psychology, should be good. Psychologists with extensive training in quantitative research methods and computer science may have a competitive edge over applicants without this background.

Graduates with a master's degree in psychology qualify for positions in school and industrial-organizational psychology. Graduates of master's degree programs in school psychology should have the best job prospects, as schools are expected to increase student counseling and mental health services. Masters' degree holders with several years of business and industry experience can obtain jobs in consulting and marketing research. Other master's degree holders may find

jobs as psychological assistants or counselors providing mental health services under the direct supervision of a licensed psychologist. Still others may find jobs involving research and data collection and analysis in universities, government, or private companies.

Very few opportunities directly related to psychology will exist for bachelor's degree holders. Some may find jobs as assistants in rehabilitation centers, or in other jobs involving data collection and analysis. Those who meet State certification requirements may become high school psychology teachers.

Earnings

Median annual earnings of salaried psychologists were \$48,596 in 2000. Median annual earnings were \$48,320 for clinical, counseling, and school psychologists and \$66,880 for industrial-organizational psychologists. Median annual earnings in the industries employing the largest numbers of psychologists in 2000 were as follows:

Hospitals	\$52,460
Elementary and secondary schools	51,310
Offices of other health practitioners	50,990
Offices and clinics of medical doctors	47,890
Individual and family services	35,720

The Federal Government recognizes education and experience in certifying applicants for entry-level positions. In general, the starting salary for psychologists having a bachelor's degree was about \$21,900 in 2001; those with superior academic records could begin at \$27,200. Psychologists with a master's degree and 1 year of experience could start at \$33,300. Psychologists having a Ph.D. or Psy.D. degree and 1 year of internship could start at \$40,200, and some individuals with experience could start at \$48,200. Beginning salaries were slightly higher in selected areas of the country where the prevailing local pay level was higher. The average annual salary for psychologists in the Federal Government was \$72,830 in 2001.

Related Occupations

Psychologists are trained to conduct research and teach, evaluate, counsel, and advise individuals and groups with special needs. Others who do this kind of work include clergy, counselors, physicians and surgeons, social workers, sociologists, and special education teachers.

Sources of Additional Information

For information on careers, educational requirements, financial assistance, and licensing in all fields of psychology, contact:

American Psychological Association, Research Office and Education in Psychology and Accreditation Offices, 750 1st St. NE., Washington, DC 20002. Internet: <http://www.apa.org>

For information on careers, educational requirements, certification, and licensing of school psychologists, contact:

National Association of School Psychologists, 4030 East West Hwy., Suite 402, Bethesda, MD 20814. Internet: <http://www.nasponline.org>

Information about State licensing requirements is available from:
Association of State and Provincial Psychology Boards, P.O. Box 241245, Montgomery, AL 36124-1245. Internet: <http://www.asppb.org>

D. In general, how do other states carry out similar functions?

Other states provide similar functions of licensing and enforcement. Each state has a governing board to regulate the practice of psychology. Each board consists of members of the profession and public members which are most often appointed by the Governor of the state.

All states require the passage of the Examination for Professional Practice in Psychology (EPPP); half of the states require passage of an oral examination for independent practice; and a majority require mandatory continuing education for annual renewal.

E. Describe any major agency functions that are outsourced.

The Board outsources its information resource services to Northrup Grumman Technical Services, Inc. (NGTSI) under the WTDROC contract between the Texas Department of Information Resources and NGTSI. This entity hosts the agency's database on a server, provides programming services for the system, and provides security and disaster recovery services. The Board has no information resources staff.

F. Discuss anticipated changes in federal law and outstanding court cases as they impact the agency's key functions.

The Health Insurance Portability and Accountability Act (HIPAA) is still so recent and complex that the impact to the agency's functions is not fully identified. There is the possibility that it will impact Chapter 611 of the Health and Safety Code involving the release of confidential information. It is clear that the majority of licensees of the Board must adhere to this federal legislation, if only because they interface with entities, such as insurance companies and hospitals, who must abide by its provisions. Board rules require licensees to adhere to all applicable federal law.

There are no known court cases that could substantially impact the Board's functions.

G. Please fill in the following chart, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact the agency. Do not include general state statutes that apply to all agencies, such as the Public Information (Open Records) Act, the Open Meetings Act, or the Administrative Procedure and Texas Register Act. Provide the same information for Attorney General opinions from FY 1999 - 2003, or earlier significant Attorney General opinions, that affect the agency's operations.

Texas State Board of Examiners of Psychologists Exhibit 1: Statutes/Attorney General Opinions	
Statutes	
Citation/Title	Authority/Impact on Agency (e.g., “provides authority to license and regulate nursing home administrators”)
Chapter 501, Texas Occupations Code	Establishes the Texas State Board of Examiners of Psychologists to regulate the practice of psychology. Gives the Board specific duties and rule-making authority.
Chapter 101.151, Texas Occupations Code	Establishes the Health Professions Council and lists the Psychology Board as one of its members.
Section 411.122, Texas Government Code	Gives to licensing entities the authority to obtain criminal history record information from the Texas Department of Public Safety.
Chapter 611, Texas Health and Safety Code	Concerns release of mental health records by mental health providers.
Chapter 32, Texas Family Code	Concerns consent for psychological treatment by minor.
Chapter 153, Texas Family Code	Concerns consent for psychological treatment of minor and right to mental health records of child by parents.
Chapter 261, Texas Family Code	Mandates reporting of child abuse or neglect.
Chapter 48, Texas Human Resources Code	Mandates reporting of elder or disabled abuse or neglect.
Chapter 81, Civil Practice and Remedies Code	Concerns duty to report exploitation of a mental health patient.
Section 22.011, Texas Penal Code	Concerns sexual exploitation of a mental health patient by a mental health provider.
Attorney General Opinions	
Attorney General Opinion No.	Impact on Agency
Letter Opinion No. 96-102 September 23, 1996	States that a psychologist who receives a subpoena from a court or administrative agency for patient records which the psychologist believes are privileged by Rule 510 of the Rules of Evidence, the psychologist may raise the claim of privilege.
Letter Opinion No. 96-050 May 10, 1996	States that the Psychological Associate Advisory Committee's authority to recommend rules to the Board is limited to those areas listed in the Psychologists' Licensing Act.

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<p>Opinion No. DM-321 February 8, 1995</p>	<p>A person who, for compensation, practices psychotherapy, hypnosis for health care purposes, hypnotherapy, or biofeedback without a license under the Psychologists' Licensing Act violates that act unless such practice falls within one of the exceptions set out in the act.</p>
<p>Letter Opinion No. 96-147 December 19, 1996</p>	<p>States that a licensed psychologist may not use non-licensed and non-exempt individuals to provide psychological services.</p>
<p>Letter Opinion No. 97-073 August 20, 1997</p>	<p>Pursuant to Chapter 611 of the Health and Safety Code, which gives patients access to their patient records created or maintained by mental health professionals, the Board has promulgated a rule that defines test results as patient records and excludes testing materials, test booklets, and protocols used in generating test results from the definition of patient records. The Attorney General accords this rule the same presumption of validity it attaches to administrative rules.</p>
<p>Opinion No. JC-0321 January 5, 2001</p>	<p>Overrules Opinion JM-1247 (1990) which concluded that the Psychologists' Licensing Act, chapter 501, of the Occupations Code, applies to a person who is employed to practice psychology for a governmental agency or regionally accredited institution of higher education (together, an "exempt facility") if the person has voluntarily obtained a license under the Act. Holds that the Board has jurisdiction of a licensee's activity or service only if the activity or service is beyond the scope of the licensee's employment by the exempt facility. The Board has no jurisdiction to investigate a complaint regarding the activity or service of a licensee employed by an exempt facility if the activity or service is within the scope of employment.</p>
<p>Opinion No. DM-458</p>	<p>Under Family code section 261.101(a) a person who suspects that a child has been abused or neglected must report that suspicion immediately to the appropriate authorities. The Council on Sex Offender Treatment may not interpret this section to permit a registered sex offender treatment provider or affiliated sex offender treatment provider to decide whether to report a suspicion where the suspicion is based on dated or incomplete information.</p>

Opinion No. JC-0535 August 5, 2002	In examining whether a person is a "recognized member of the clergy acting within the person's ministerial capabilities" for the purpose of exemption from the licensing requirements of Chapter 501 of the Occupations Code, the Board may consider, as one factor, the ordination of that person for a fee by Internet or mail. However, the Board should not conclusively presume that the person may not make a claim for exemption based on that factor alone. The Board should inquire further in seeking to establish whether a person in question has a legitimate claim for exemption as a member of the clergy, and may require more information from a person making such a claim for exemption than the mere production of a ministerial certificate granted by mail or Internet.
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H. Please fill in the following chart:

Texas State Board of Examiners of Psychologists Exhibit 2: Agency Contacts				
	Name	Address	Telephone & Fax Numbers	E-mail Address
Agency Head	Sherry L. Lee	333 Guadalupe, 2-450 Austin, Texas 78701	305-7700 305-7701 FAX	sherry.lee@ tsbep.state.tx.us
Agency's Sunset Liaison	Sherry L. Lee Jennifer Noack	333 Guadalupe, 2-450 Austin, Texas 78701	305-7700 301-7701 FAX 305-7704 305-7701 FAX	sherry.lee@ tsbep.state.tx.us jennifer.noack@ tsbep.state.tx.us

II. History and Major Events

State Timeline

- 1969 Texas State Board of Examiners of Psychologists was established by the 61st Legislature. The Psychologists' Certification and Licensing Act, Texas Revised Civil Procedure 4512(c). The Board was charged to examine and license persons engaging in psychology.
- 1975 The Act was amended by the 64th Legislature to expand the definition of psychological services, allow the Board rule-making authority to certify specialties, add requirements for applicants to ensure mental and physical competency, add requirements for two years of supervised experience, add further exemptions to the Act, and to add enforcement of competency requirements.

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- 1981 The Act was amended by the 67th Legislature to add three additional Board members, bringing the total to nine, add the application of the Sunset Act, add requirements for composition and qualifications of the Board members, add powers to the Board for public information complaint files and continuing education; remove residency requirements for licensure, add requirements for examinations, provide more exemptions to the Act and clarify disciplinary procedures.
- 1985 The Act was amended by the 69th Legislature to expand the definition of psychological services, add the health service provider credential to Board powers, remove specific fee amounts, and expand exemptions.
- 1987 The Psychology Board began administering the Oral Examination as a requirement for licensed psychologists.
- 1989 The Act was amended by the 71st Legislature to require doctoral degrees received after January 1979 to be in psychology as a requirement for licensure.
- 1991 The Act was amended by the 72nd Legislature to allow the Board to have reciprocity with other states and required the \$200 professional fee.
- The Legislature established the State Office of Administrative Hearings which would rule on all formal hearings of the agency. The Attorney General was required to provide legal services to the agency, thereby eliminating outside contracts for legal services.
- 1992 The Psychology Board submits its first Strategic Plan.
- 1993 73rd Legislature approved the continuance of Board for 12 years after Sunset Review. The definition of the practice of psychology was expanded to include specific practices. Continuing education for renewal was mandated. The Board was authorized to assess a civil penalty of up to \$1,000 a day for violation of the Act or rule. Composition of the Board was changed. Established the Psychological Associate Advisory Committee. Set more defined complaint procedures.
- 1993 73rd Legislature mandated that the Psychology Board would become part of the Health Professions Council.
- 1994 Psychology Board forms reciprocity agreement with Louisiana Psychology Board.
- 1995 Psychology Board co-located with other Health Profession Council agencies to the Hobby Building.
- 1995 74th Legislature amended Act to require that a new license be established (licensed specialist in school psychology, LSSP) and required for provision of psychological services in the public schools and removed exemption in Act for public schools. Also, added more complaint procedures.
- 1996 Board began participating in annual Survey of Organizational Excellence.
- 1997 75th Legislature amended Act to change name to Psychologists' Licensing Act, and changed the title of certified psychologists to provisionally licensed psychologists.
- 1998 Established Board website.
- 1998 Board began participating in EAP program through Health Professions Council.
- 1998 Board participates in Small State Agency Task Force.

- 1999 76th Legislature recodified the Act to Chapter 501 of the Occupations Code. Legislation mandated Health Professions Council member agencies to purchase and share imaging system.
- 2000 Board began obtaining criminal record checks on applicants from the Department of Public Safety.
- 2000 Board conducts first annual Customer Service Survey of major customer groups..
- 2001 77th Legislature mandated that the Psychology Board participate in a group project to allow for annual renewal of licenses online and to have profiles of licensed psychologists online. Also mandated that agencies obtain annual internal audit.
- 2001 National psychology exam is computerized. Board changes to mail-out Jurisprudence Exam.
- 2003 On-line renewals became an option for licensees through Texas Online Authority.

Federal Timeline

- 1996 Health Insurance Portability and Accountability Act (HIPAA) passed by Congress.

III. Policymaking Structure

A. Please complete the following chart:

Texas State Board of Examiners of Psychologists Exhibit 3: Policymaking Body					
Member Name	Terms	Qualification (e.g., public member, industry representative)	Address	Telephone & Fax Numbers	E-mail Address
Pauline A. Clansy, Ed.D.	2002- 2007 Gov. Perry	licensed psychologist, licensed specialist in school psychology; provides psychological services	Houston ISD 1614 Rutland Houston, TX 77008	713-867-5220 713-867-5225 fax	pclansy@ houstonisd .org
Catherine B. Estrada	2002- 2003 Gov. Perry	public member	7621 Southwestern Blvd., Dallas, TX 75225	214-987-4909 214-987-4925 fax	ccbe@msn .com
Arthur E. Hernandez, Ph.D.	2002- 2007 Gov. Perry	licensed psychologist, licensed specialist in school psychology; faculty member; provides psychological services	UT at San Antonio, College of Educ/ Human Develop. 501 W. DurangoBlvd. San Antonio, TX 78207	210-458-2610, 210-458-2615 fax	aehernande z @utsa.edu

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Michael Nogueira	2002-2005 Gov. Perry	public member	300 Whisper Creek Trail Fredericksburg, TX 78624	830-990-9963 830-990-9373 fax	wcrmike@ctesc.net
Ruben Rendon, Jr., M.S.	2000-2005 Gov. Bush	licensed psychological associate, licensed specialist in school psychology; provides psychological services	13240 Veronica Dallas, TX 75234	972-395-7947 972-243-4636 fax	rendonr@cfbisd.edu
M. David Rudd, Ph.D.	1997-2003 Gov. Bush	licensed psychologist, faculty member; conducts research in field of psychology; provides psychological services	Baylor University Depart. of Psychology, P.O. Box 97334, Waco, Texas 76798	254-710-2961 254-710-3033 fax	M_Rudd@baylor.edu
Stephanie Sokolosky, M.P.S.	2000-2005 Gov. Bush	licensed psychological associate, licensed specialist in school psychology; provides psychological services	P.O. Box 3763, Wichita Falls, Texas 76301	940-720-3170 940-720-3172 fax	ssokolosky@wfbisd.net
Brian H. Stagner, Ph.D.	1998-2003 Gov. Bush	licensed psychologist, faculty member; provides psychological services	408 Tarrow Street, College Station, Texas 77840	979-268-1111, 979-268-5803 FAX	bhs@psyc.tamu.edu
Jess Ann Thomason	2002-2005 Gov. Perry	public member	P.O. Box 4794 Midland, Texas 79704	915-687-5377 915-687-5351 FAX	jessanthomason483@cox.net

B. How is the chair of the policymaking body appointed?

The Chair of the Board is elected by the members of the Board to serve for one year.

C. Describe the primary role and responsibilities of the policymaking body.

The primary role of the Board is to:

- Set policy for the Board.
- Pass rules to implement the Act.
- Hire an Executive Director and may hire other staff.
- Hold at least one annual meeting.
- Approve various required agency reports including Annual Financial Report and Legislative Appropriation Request.
- Review other required documents such as Affirmative Action Plan and Personnel Manual.
- Assess financial status of agency on a quarterly basis.
- Review other key documents such as Performance Reports, Risk Assessments, and audits.

- Annually evaluate Executive Director.
- Consult General Counsel on agency lawsuits, and legal issues.
- Monitor licensing and enforcement operations.
- Serve on informal settlement conference panels.
- Serve on appointed committees for application approval, enforcement, etc.
- Identify needed changes in the Act.
- Respond to formal inquiries.
- Take disciplinary action against licensees by approving agreed orders and State Office of Administrative Hearings' Proposals for Decision.

D. List any special circumstances or unique features about the policymaking body or its responsibilities.

The Board consists of nine members appointed by the Governor with the advice and consent of the Senate. Each member must be a citizen of the United States and appointments must be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointee. Four members are required to be licensed psychologists who have engaged in independent practice, teaching or research in psychology for at least five years. Two members are required to be licensed psychological associates who have been licensed for at least five years; and three members are required to be members of the public.

The Act requires the Governor to appoint at least two members who provide psychological services; at least one member who conducts research in the field of psychology; and at least one member who teaches as a member of a faculty of a psychological training institution.

In accordance with the Act, public members must not:

- be registered, certified, or licensed by an occupational regulatory agency in the field of health services,
- be employed by or participate in the management of a business entity or other organization regulated by the Board,
- receive funds from the Board,
- own or control, directly or indirectly, more than a 10% interest in a business entity or other organization regulated by the Board or receive funds from the Board,
- use or receive a substantial amount of tangible goods, services, or funds from the Board, other than compensation or reimbursement authorized by law for board membership, attendance or expenses,
- be an officer, employee, or paid consultant of a trade association in the field of health services,
- be the spouse of an officer, manager, or paid consultant of a Texas trade association in the field of health services, or
- be required to register as a lobbyist under Chapter 305 of the Government Code, because of the person's activities for compensation on behalf of a profession related to the operation of the Board.

E. In general, how often does the policymaking body meet? How many times did it meet in FY 2002? in FY 2003?

The Board now meets four times a year because of the budget cutbacks required by the 78th Legislative session. The Board met five times in FY 2002 and four times in FY 2003.

F. What type of training do the agency's policymaking body members receive?

Board members receive in-house training from the staff before they serve as Board members. This training is based on the training materials that are shared by all Health Professions Council members. The Board then supplements this information with any additional or agency specific information that it deems beneficial. Such training lasts approximately six hours. Trainers include the Chair of the Board, the Executive Director, the General Counsel and other Board members and staff as needed.

The training consists of many facets including Board functions and operations, the Act and rules, policies and procedures, as well as the Texas Public Information Act, Texas Open Meetings Act, administrative rule making and the Texas Register, state budgeting, performance measures, recent audits, the Legislature, Sunset, and agency publications and website.

Additionally, if funds are available, Board members are encouraged to participate at least once in the training provided by the Attorney General's office every two years and in the training provided by ASPPB for new board members.

G. Does the agency have policies that describe the respective roles of the policymaking body and agency staff in running the agency? If so, please describe these policies.

The Board's policy that describes the respective roles of the policy making body and agency staff in running the agency is as follows.

POLICY ON DIVISION OF RESPONSIBILITIES BETWEEN BOARD AND STAFF

In compliance with Section 501.103, Division of Responsibilities, of the Act, the Board sets the following policy.

The Board has the following responsibilities:

1. Implements Act by passing rules and policies.
2. Conducts annual Board evaluation.
3. Sets annual Board goals.
4. Approves Strategic Plan, Legislative Appropriation Request, Operating Budget, Annual Financial Report and other required reports.
5. Serves on rotating disciplinary review panels to review complaints and recommend resolution to Board.
6. Approve agreed orders, dismissals of complaints, and renders decisions on SOAH proposals for decision.

7. Reviews quarterly performance reports and other operation status reports.
8. Hires ED and conducts annual performance evaluation of ED.
9. Chair appoints committees with specific responsibilities to work directly with staff.
10. Ensures that agency expends its funds appropriately and efficiently and in accordance with state laws.
11. Monitors standards of the profession.
12. Sets fees.
13. Adheres to Board mission to protect the public.

The Staff has the following responsibilities:

1. Performs all responsibilities in accordance with the Act, Board rules and Board policies.
2. Establishes, documents and adheres to procedures.
3. Processes applications for licensure.
4. Investigates complaints.
5. Recommends non-substantiated complaints for dismissal.
6. Renews licenses annually.
7. Collects and processes all required fees.
8. Drafts and negotiates agreed orders for Board approval.
9. Adheres to all state and federal laws and directives to state agencies, including but not limited to open records and open meetings and human resource and salary matters
10. Prepares for administration of oral examination.
11. Expends funds necessary for agency operations in accordance with state laws and state regulations.
12. Adheres to state financial accounting requirements.
13. Prepares mandated reports.
14. Prepares budget request for appropriations.
15. Informs and makes recommendations to the Board on various items of relevancy to Board’s mission and responsibilities of the agency.
16. Responds to all inquiries from the public and other entities.

H. Subcommittees and Advisory Committees

Texas State Board of Examiners of Psychologists Exhibit 4: Subcommittees and Advisory Committees			
Name of Subcommittee or Advisory Committee	Size/Composition/How are members appointed	Purpose/Duties	Legal Basis for Committee

Self-Evaluation Report

Psychological Associate Advisory Committee	6 members: 3 licensed psychological associates, 1 licensed psychologist, 2 public members. All members are appointed by the Governor.	The purpose of the PAAC is to recommend rules to the Board. These rules must regard regulation of psychological associates in specified issue areas.	Chapter 501, Subchapter H, 501.351-501.359. Occupations Code.
Applications Committee	1 Board member, appointed by Chair of the Board	Finally approves applicants for licensure; serves as resource to staff on licensing issues.	NA
Enforcement Committee	1 Board member, appointed by Chair of the Board	Serves as resource to staff on enforcement issues.	NA
Compliance Committee	1 Board member, appointed by Chair of the Board	Serves as resource to staff on compliance issues. Reviews licensees' compliance with agreed orders.	NA
Budget Committee	1 Board member, appointed by Chair of the Board	Serves as resource to staff on budget issues.	NA
PAAC Liaison	1 Board member, appointed by Chair of the Board	Serves as Board member liaison to PAAC.	NA
Technology Committee	1 Board member, appointed by Chair of the Board	Serves as resource to staff on technology issues.	NA
Public Information	1 Board member, appointed by Chair of the Board	Serves as resource to staff on publications and website.	NA
Legislative	1 Board member, appointed by Chair of the Board	Serves as resource to staff on legislative issues.	NA
Sunset	1 Board member, appointed by Chair of the Board	Serves as resource to staff on sunset issues.	NA
Oral Exam	1 Board member, appointed by Chair of the Board	Serves as resource to staff on oral examination issues. Reviews appeals to oral exams. Provides training to new examiners. Attends oral examinations.	NA
Written Exams	1 Board member, appointed by Chair of the Board	Serves as resource to staff on written exam issues. Chairs Jurisprudence Exam consultants meetings.	NA

I. How does the policymaking body obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of the agency?

The Board obtains input from the public by the following actions:

- posting its proposed rules and meeting agendas in the Texas Register;
- including an agenda item for public comments at every Board meeting;
- including agenda items per written requests;
- posting its newsletters on its website;
- providing new development alerts on its website;
- reviewing letters to the Board at Board meetings
- information provided by Executive Director as a result of input received through written correspondence, faxes, open record requests, and telephone calls from the public;
- conducting annual customer service surveys of its primary customer groups, including persons who make open record requests to the agency, licensees, examinees, and new applicants.

The Board incorporates such input into its operations by the following:

- replying in the form of opinion letters to inquiries,
- revising, deleting or creating new rules, policies, and procedures,
- publishing relevant articles in the newsletter, which are then included on the website,
- making changes to the agency's website,
- making changes to the agency's publications,
- making changes to agency's forms and applications,
- making budget or law revision requests to the Legislature,
- seeking Attorney General Opinions.

IV. Funding

A. Describe the agency's process for determining budgetary needs and priorities.

Legislative Appropriations Request:

Staff develop the biennial appropriations request which is approved by the Board. Staff analyze past expenditures and project expenditures for the next two years based on external and internal factors, as well as state projections and national trends.

Quarterly Budget Reports:

Staff compose a detailed annual budget by expenditure from appropriated funds which is then reviewed by the Board on a quarterly basis.

Annual Board Goals:

The Board sets annual Board goals for the agency. These are in addition to the agency's performance measures. If these goals have a monetary impact on the agency, this is taken into account in the quarterly budgets.

PLEASE FILL IN EACH OF THE CHARTS BELOW, USING EXACT DOLLAR AMOUNTS.

B. Show the agency's sources of revenue. Please include all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency.

Texas State Board of Examiners of Psychologists Exhibit 5: Sources of Revenue — Fiscal Year 2002 (Actual)	
Source	Amount
General Revenue	1,642,877
Appropriated Receipts	74,739
TOTAL	1,717,616

C. If you receive funds from multiple federal programs, show the types of federal funding sources.

The Board does not receive any federal funds.

D. If applicable, please provide detailed information on fees collected by the agency.

Section 501.53 Fee Increase of the Board's statute sets the \$200 professional fee which is levied on doctoral level candidates taking the national psychology exam (EPPP) and on provisionally licensed psychologists' and licensed psychologists' annual renewals. Additionally, Section 501.302 sets a prescription for late renewal fees based on the national psychology exam fee. All other fees are set by the Board by rule per Section 501.152.

Texas State Board of Examiners of Psychology Exhibit 7: Fee Revenue and Statutory Fee Levels — Fiscal Year 2002				
Description/ Program/ Statutory Citation	Current Fee/ Statutory maximum	Number of persons or entities paying fee	Fee Revenue	Where Fee Revenue is Deposited (e.g., General Revenue Fund)
Juris Exam - 501.256(b)	\$200	356	\$71,200	General Revenue
Oral Exam - 501.256(b)	\$300	147	\$44,100	General Revenue
EPPP-LPA - 501.256(b)	\$450	32	\$14,400	General Revenue
EPPP - PLP - 501.256(b), 501.1153(a)(2)	\$450	113	\$50,850	General Revenue
EPPP - PLP 501.153(a)(2)	\$200	109	\$21,800	Foundation School Fund \$50 General Revenue \$150
LPA Applic. - 501.152	\$160	25	\$4,000	General Revenue
PLP Applic. - 501.152	\$310	148	\$45,880	General Revenue

LIC Applic. - 501.152	\$150	155	\$23,250	General Revenue
LSSP Applic. - 501.152	\$190	123	\$23,370	General Revenue
REC Applic. - 501.152	\$450	8	\$3,600	General Revenue
LPA Renewal - 501.302	\$85	1344	\$114,240	General Revenue
PLP Renewal - 501.302	\$80	80	\$6,400	General Revenue
PLP Renewal - 501.153(a)(3)	\$200	64	\$12,800	Foundation School Fund \$50 General Revenue \$150
LIC Renewal - 501.302	\$175	3221	\$563,675	General Revenue
LIC Renewal - 501.153(a)(1)	\$200	2990	\$598,000	Foundation School Fund \$50 General Revenue \$150
LSSP Renewal - 501.302	\$30	1819	\$54,570	General Revenue
HSP Renewal - 501.302	\$20	1031	\$20,620	General Revenue
Over 70 Renewal - 501.302	\$10	193	\$1,930	General Revenue
Inactive Fees - 501.152	\$100	84	\$8,400	General Revenue
Inactive Extension - 501.152	\$100	37	\$3,700	General Revenue
Late Fees 1 st - 501.302	\$225	127	\$28,575	General Revenue
Late Fees 2 nd - 501.302	\$225	11	\$2,475	General Revenue
LSSP Late Fees - 501.302	\$100	58	\$5,800	General Revenue
Handling Fees	\$10	223	\$2,230	General Revenue
Admin. Penalty - 501.451	\$250	13	\$3,250	General Revenue
Returned Check Fees	\$25	10	\$250	General Revenue
Verifications - Rule 473.8	\$20	2615	\$52,300	General Revenue
State Verifications - Rule 473.8	\$25	52	\$1,300	General Revenue
Applic. Packets - 501.153	\$5	685	\$3,430	General Revenue
Lists/Labels - Rule 473.8	\$62.50	7	\$438	General Revenue
Diskettes -Rule 473.8	\$50	40	\$2,000	General Revenue
Duplicate Licenses - 501.153	\$25	90	\$2,250	General Revenue
Roster - Rule 473.8	\$10	33	\$330	General Revenue
Subscription Fees - 2054.252 Texas Government Code	\$5	1356	\$6,780	General Revenue

E. Show the agency's expenditures by strategy.

Texas State Board of Examiners of Psychologists Exhibit 8: Expenditures by Strategy — Fiscal Year 2002 (Actual)	
Goal/Strategy	Amount
Goal A: Licensing	455,022
Goal B: Enforcement	287,564
GRAND TOTAL:	742,566

F. Show the agency’s expenditures and FTEs by program.

Texas State Board of Examiners of Psychologists Exhibit 9: Expenditures and FTEs by Program — Fiscal Year 2002 (Actual)					
Program	Budgeted FTEs, FY 2002	Actual FTEs as of August 31, 2002	Federal Funds Expended	State Funds Expended	Total Actual Expenditures
Licensing	9.5	9.5	0	455,002	455,002
Enforcement	4.5	4.5	0	287,564	287,564
TOTAL	14.0	14.0	0	742,566	742,566

G. Show the agency’s objects of expense for each category of expense listed for your agency in the General Appropriations Act FY 2004-2005.

Texas State Board of Examiners of Psychologists Exhibit 10: Objects of Expense by Program or Function -- Fiscal Year 2004		
Object-of-Expense Informational Listing	Strategy, Program, Division, or Function <u>Licensing</u>	Strategy, Program, Division, or Function <u>Enforcement</u>
Salaries and Wages	282,593	211,204
Other Personnel Costs	7,200	4,000
Operating Costs	30,000	0
Professional Fees and Services	55,620	25,180
Consumable Supplies	6,000	4,000
Utilities	3,720	2,480
Travel	13,200	8,800
Rent - Building	3,400	0

Rent - Machine and Other	1,000	0
Other Operating Expense	37,300	24,866
Total, FY 2004 Object-of-Expense Informational Listing	440,003	280,530

Objects of Expense by Program or Function -- Fiscal Year 2005		
Object-of-Expense Informational Listing	Strategy, Program, Division, or Function <u>Licensing</u>	Strategy, Program, Division, or Function <u>Enforcement</u>
Salaries and Wages	282,593	211,204
Other Personnel Costs	7,200	4,000
Operating Costs	30,000	0
Professional Fees and Services	55,620	25,180
Consumable Supplies	6,000	4,000
Utilities	3,720	2,480
Travel	13,200	8,800
Rent - Building	3,400	0
Rent - Machine and Other	1,000	0
Other Operating Expense	37,300	24,867
Total, FY 2005 Object-of-Expense Informational Listing	440,033	280,531

H. Please fill in the following chart.

Texas State Board of Examiners of Psychologists Exhibit 11: Purchases from HUBs				
FISCAL YEAR 2000				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	0	0	0%	11.9%
Building Construction	0	0	0%	26.1%
Special Trade	0	0	0%	57.2%

Professional Services	0	0	0%	20.0%
Other Services	182,320	14,752	8.09%	33.0%
Commodities	20,911	12,399	59.2%	12.6%
TOTAL	203,231	27,151	13.3%	
FISCAL YEAR 2001				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	0	0	0%	11.9%
Building Construction	0	0	0%	26.1%
Special Trade	0	0	0%	57.2%
Professional Services	0	0	0%	20.0%
Other Services	197,659	14,825	7.50%	33.0%
Commodities	37,890	5,989	15.8%	12.6%
TOTAL	235,549	20,814	8.84%	
FISCAL YEAR 2002				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	0	0	0%	11.9%
Building Construction	0	0	0%	26.1%
Special Trade	0	0	0%	57.2%
Professional Services	8,606	0	0%	20.0%
Other Services	160,394	15,895	9.90%	33.0%
Commodities	46,987	7,949	16.9%	12.6%
TOTAL	215,987	23,844	11.04%	

I. Does the agency have a HUB policy? How does the agency address performance shortfalls related to the policy?

The Board has a HUB policy. In the case of shortfalls, the Board reviews its policy to determine if changes could be made to remedy the shortfall. However, in most situations, the shortfalls are beyond the agency's control. The statistics do not always show the reality of the agency's efforts to meet HUB targets and the real reasons why it frequently cannot.

The Board endeavors to make the majority of its purchases from HUB vendors, although the agency has few types of expenditures. It is able, however, to purchase all of its office supplies from a HUB vendor.

J. For agencies with contracts valued at \$100,000 or more:

This Board does not have contracts valued at \$100,000 or more.

K. For agencies with biennial appropriations exceeding \$10 million:

This Board does not have biennial appropriations exceeding \$10 million.

V. Organization

A. Please fill in the chart below. If applicable, list field or regional offices.

Texas State Board of Examiners of Psychologists Exhibit 12: FTEs by Location — Fiscal Year 2002			
Headquarters, Region, or Field Office	Location	Number of Budgeted FTEs, FY 2002	Number of Actual FTEs as of August 31, 2002
Texas State Board of Examiners of Psychologists	333 Guadalupe, 2-450, Austin, Texas 78701	14	14
TOTAL		14	14

B. What was the agency's FTE cap for fiscal years 2002-2005?

14

C. How many temporary or contract employees did the agency have as of August 31, 2002?

0

D. Please fill in the chart below.

Texas State Board of Examiners of Psychologists Exhibit 13: Equal Employment Opportunity Statistics FISCAL YEAR 2000							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	1		5%		8%	100 %	26%
Professional	6	33.3 %	7%	16.6 %	7%	83.3 %	44%
Technical			13%		14%		41%
Protective Services			13%		18%		15%
Para-Professionals			25%		30%		55%
Administrative Support	8	12.5 %	16%	25 %	17%	87.5 %	84%
Skilled Craft			11%		20%		8%
Service/Maintenance			19%		32%		27%

FISCAL YEAR 2001							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	1		5%		8%	100 %	26%
Professional	5	20 %	7%	20 %	7%	60 %	44%
Technical			13%		14%		41%
Protective Services			13%		18%		15%
Para-Professionals			25%		30%		55%
Administrative Support	7		16%	28.5 %	17%	71.4 %	84%
Skilled Craft			11%		20%		8%
Service/Maintenance			19%		32%		27%
FISCAL YEAR 2002							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	1		5%		8%	100 %	26%
Professional	6	16.6 %	7%	16.6 %	7%	66.6 %	44%
Technical			13%		14%		41%
Protective Services			13%		18%		15%
Para-Professionals			25%		30%		55%
Administrative Support	9		16%	33.3 %	17%	66.6 %	84%
Skilled Craft			11%		20%		8%
Service/Maintenance			19%		32%		27%

E. Does the agency have an equal employment opportunity policy? How does the agency address performance shortfalls related to the policy?

The Board has an Affirmative Action Plan approved by the former Texas Human Rights Commission. It was last reviewed and updated May 15, 2003 by the Board. The plan directs that when disparities are found between the agency's staff workforce and those from relevant labor market statistics, the agency should review its selection process to determine if any elements exclude persons on the basis of sex, race, ethnicity, age, or disability group.

VI. Guide to Agency Programs

A. Please complete the following chart.

Texas State Board of Examiners of Psychologists Exhibit 14: Program or Function Information — Fiscal Year 2002	
Name of Program or Function	Licensing
Location/Division	333 Guadalupe, 2-450, Austin, Texas 78701
Contact Name	Sherry L. Lee
Number of Budgeted FTEs, FY 2002	9.5
Number of Actual FTEs as of August 31, 2002	9.5

B. What are the key services of this function or program? Describe the major activities involved in providing all services.

Licensing:

A. New Licenses and Examinations:

- Prepare and mail out the various kinds of application packets upon receipt of written request and payment of fee.
- Establish new electronic and paper files for applicants for licensure.
- Process applications in batches. Processing of all fees received regarding licensing and examinations. This entails entering the amount received into the database per applicant with resulting status changes.
- Review applications for licensure for completeness. Correspond with applicants by phone or in writing about discrepancies or for clarification of application materials.
- Enter exam scores for three types of examinations.
- Administer the mail-out Jurisprudence Exam to all applicants for licensure.
- Obtain grading of Jurisprudence Exam from University of Texas.
- Make all preparations for Oral Examination administered off-site twice a year, including site preparation, solicitation of examiners, notification of examinees, and preparation of all exam materials.
- Generate appropriate form letters for significant steps in application process.
- Answer telephone inquiries about licensure in general or status of current applications.
- Ensure that applications and all supporting materials and form letters regarding licensure and examination are updated in response to rule and policy changes.
- Obtain approval from Board Committee Chair for Applications for complex or unusual applications.
- Maintain electronic and paper files of applicants and licensees and prepare such files for imaging or microfiche on a regular basis.

B. Renewals and Continuing Education

- Mail out annual renewal certificate and update in database.

Self-Evaluation Report

- Review and approve continuing education for annual renewal for all licensees.
- Review and approve annual renewal applications for all licensees.
- Communicate by phone and in writing with licensees about continuing education and renewal.
- Review online renewal application reports to ensure compliance with continuing education.
- Identify licensees who fail to obtain required continuing education and work with Enforcement staff to ensure that complaints are filed.
- Identify difficulties in operations caused by any factor including forms, form letters, rules, etc. and make suggestions for correcting such difficulties.-
- Make name and address changes in database as they are submitted in writing.
- Update all publications, including newsletters, brochures, forms, form letters, as well as the website on all matters relating to licensing.

C. When and for what purpose was the program or function created? Describe any statutory or other requirements for this program or function.

The Licensing Division was created to implement sections of the Psychologists' Licensing Act that require that persons who provide psychological services be licensed.

New Licenses:

Subchapter F, General License Requirements, of the Act specifically requires that the Board issue the following licenses:

- licensed psychological associate, Section 501.259,
- provisionally licensed psychologist, Sections 501.253-501.255,
- licensed psychologist, Section 501.252,
- licensed specialist in school psychology, Section 501.260.

These sections require the Board to pass rules regarding the issuance and requirements for these licenses.

The Board is charged to set fees to cover the costs of these programs.

Sections 501.261-501.264 of the Act concern the form of the license, a reciprocal license (reciprocity with other states), a temporary license, and inactive status of a license.

Examinations:

The Act, Section 501.256 requires that the Board administer written and oral examinations. The written examinations and the oral examination are on the discipline and profession of psychology and the laws and rules governing the profession in this state. The national psychology examination regards the discipline and profession of psychology; the Jurisprudence examination regards the laws and rules of the profession in the state. The oral examination is required for licensure as a psychologist and can be taken only by provisionally licensed psychologists. Other sections of the Act dealing with examinations include Sections 501.257-501.258.

Renewal and Continuing Education:

Subchapter G, License Renewal, of the Act mandates annual license renewal and annual continuing education.

The Board is required to charge fees for renewal of licensure annually and for late renewals. The Board is charged to establish a minimum number of continuing education hours required for annual renewal of license. The Board is required to send written notice of impending expiration of a license. The Act allows a license to renew a license up until one year after the license expires, after which time the license is void.

Sections 501.301 - 501.304 require that each type of license with the Board must be annually renewed by payment of a fee and submission of required continuing education.

D. Describe any important history not included in the general agency history section, including a discussion of how the services or functions have changed from the original intent. Will there be a time when the mission will be accomplished and the program or function will no longer be needed?

Beginning in the middle of fiscal year 2003, the Board had the ability to accept renewals online. This was possible through the Texas Online Authority and its contracted vendor. Online renewal remains an option for Board licensees who are not being audited and who have met a few additional requirements. The Board has promoted the online renewal service through information enclosed with the renewal form and through its website and agency newsletters. It has also provided mail inserts to a professional association for distribution to their members.

During the 78th Legislative Session, legislation was passed which provided the Board the authority to conduct finger print criminal record checks of its applicants from the national database. The Board has not taken action on this new legislation but will consider making this a requirement for licensure. Currently, the Board obtains state criminal record checks from the Department of Public Safety for all applicants.

In recent years, the trend at this agency has been to reduce licensing requirements that have not been effective in promoting or protecting the safety of the public. This has resulted in streamlining application processing to allow the agency to spend less time in reviewing applications, reducing Board member involvement in approval of licenses, and issuing licenses in a more timely manner. The Board believes that such actions have not impinged on its basic mission to ensure that licensees are qualified to provide psychological services to the public.

The licensing division has not had any new FTEs since 1995. It did receive funding in FY 1998 for an existing staff person to implement the licensed specialist in school psychology program that was mandated by the Legislature in the 75th Legislative Session. In the previous year this staff person had been funded by an interagency contract with the Texas Education Agency.

The mission and program function will always be needed. Persons continually seek licensure from the state whether they are new graduates or persons from other states seeking licensure in Texas. Continuing education also is not anticipated to be eliminated given its role in promoting continuing competence of licensed professionals.

Most importantly, the state is ensuring that providers of psychological services are competent to provide such services. Therefore, the mission of this Board will always be needed.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The licensing program primarily affects the persons who receive psychological services, including children in the public schools. Obviously, it affects the persons who are licensed. Additionally, it impacts higher education institutions that have psychology training programs. It also affects persons who make public information requests from the agency.

Persons Who Receive Psychological Services:

National estimates indicate that one in every four persons has a mental health condition. However, the majority of these persons do not receive mental health services. Also, ethically and by state law, psychologists are required to maintain confidentiality of their patients. Therefore, there is no valid estimate of the number of persons who receive psychological services in the state of Texas.

It should be noted, however, that licensees of this Board provide services in many venues, including to all public schools in Texas, in private practice, as well as in many exempt facilities.

495,493 Texas public school children received special education services in the 2001-2002 school year. About two-thirds of school psychological services involve special education. The number of emotionally disturbed and learning disabled children in public schools is increasing at a greater rate than total public school enrollment. An estimated 70,000 children are added to Texas public schools each year. Obviously, the need for school psychological services is increasing.

Licensees:

The Board has 7,000 licenses. The exact number fluctuates as some individuals renew their licenses each day. However, there are approximately:

- 3,505 licensed psychologists
- 164 provisionally licensed psychologists
- 1,342 licensed psychological associates
- 2,020 licensed specialists in school psychology

Approximately 1,000 persons hold two separate licenses with this Board. After the implementation of the licensed specialist in school psychology mandated program, many individuals who already held one license with the Board had to obtain the LSSP as well in order to provide psychological services in the public schools.

Approximately 249 licenses are inactive.

The Board renews approximately 6,400 licenses a year and issues about 400 new licenses a year.

Open Records Requests:

The Board fills over 9,800 open records requests per year. Additionally, its website receives over 200,000 hits per year. Open record requests include phone verifications of licensure, written requests for verifications of licensure, and requests for professional files and agreed orders for disciplinary action.

Others:

The Board also provides information to and interfaces with the following:

- Other state psychology boards,
- Association of State and Provincial Psychology Boards,
- American Psychological Association,
- Texas Psychological Association,
- Texas Association of School Psychologists
- Texas Association of Psychological Associates
- National Register of Health Service Providers

F. Describe how the program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

G. The program does not work with units of local government.

Steps in the licensing process are attached as an addendum. This program does not work with units of local government.

H. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

General revenue and appropriated receipts are the funding sources for the program. The budget strategy is A.1.1. Licensing. For fiscal year 2002, this program was appropriated \$ 416,658 in General Revenue and \$ 62,800 in Appropriated Receipts.

Refer to IV. Funding, D., for fees charged by the agency.

I. Are current and future funding resources appropriate to achieve program mission, goals, objectives, and performance targets? Explain.

Current funding for salaries for licensing staff is insufficient. The Executive Director's salary is below that of executive directors at other health licensing agencies with comparable budgets, responsibilities, number of FTES, and licensees. The Director has not had a salary increase since September 2000 and was excluded from the 4% increase for state employees granted by the 77th Legislature. The Board has no means of rewarding for meritorious service nor can it retain excellent employees if its salary levels are at a competitive disadvantage.

Additionally, the salary of the agency's only attorney in 2000 was the same as the beginning salary for this position in 1993. The agency needs to reward and retain its experienced and efficient attorney at a salary that is commensurate with his experience and expertise.

The salaries of the agency's four primary licensing staff are at least \$6,000 less than the average salary for Article VIII agencies, as determined by the State Auditor's Office analysis. This factor makes it difficult to retain these highly experienced staff. Loss of these staff would negatively impact the agency's performance measures since new staff would be unlikely to have similar levels of competence.

J. Identify any programs internal or external to the agency that provide identical or similar services or functions. Describe the similarities and differences.

There are no private programs that provide identical services. However, similar services or functions are provided by the psychology licensing boards of other states. Also, there are similar types of licensing services provided by other health licensing boards in this state.

State statutes regarding regulation of psychology vary from state to state. While the basic programs and functions might be the same, the details of the statutes result in different licensing requirements, although they all regulate the practice of psychology in their individual states.

Within the state of Texas, the statutes of the various types of health licensing boards have many similarities as is the intent of the Sunset Commission and the Legislature with across the board language and requirements in the respective laws. However, the differences between these agencies stem primarily from the differences in the professions. For instance,

- In the field of psychology, requirements for training are not the same as for those required for training nurses, i.e. the types of courses, the degrees, internship requirements.
- The examinations are very different. In psychology, the rules that the Board passes deal with the practice of psychology, and therefore these rules become the basis of the Board's Jurisprudence Exam. Moreover, in psychology, there is an Oral Examination as one of the added mechanisms for ensuring that licensed psychologists can practice independently.
- Each profession typically has its own national examination which is owned by different entities with different requirements for administration, and payment of exam fees.
- Continuing education requirements for psychology are not as extensive as those for nursing because the psychology field does not evolve as quickly as that of medicine, which has new medicines and new medical technologies. Also, the types of courses for continuing education for psychologists are different than those for nurses and physicians.

K. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question J and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Psychology Board is a member of the Health Professions Council (HPC). The HPC was mandated in 1993 to coordinate activities and to thereby achieve efficiencies for 11 health licensing agencies.

There are many services that the Board shares through the HPC as implemented through a Memorandum of Understanding and contract for services. These services include: imaging and document management system; collection, distribution of information/data of member agency program information; document reproduction; courier service; representation of member agencies in planning and legislative forums; information technology support; financial functions including payroll and voucher processing; staff development training; purchasing; legislative tracking; toll-free complaint line; board member training manual. Also, HPC agencies share a network technician which they pay for on a pro-rata basis to the HPC. This technician maintains the Board's network, as well as providing some assistance in hardware and software for the HPC member agencies, although the majority of agencies have other on-staff IT personnel.

L. Please provide any additional information needed to gain a preliminary understanding of the program or function.

Since each of the licenses that the Board issues has different requirements, each licensing staff person handles 1-2 types of licenses. Also, one of these staff serves as the supervisor for certain functions. An additional Licensing staff person handles renewals and continuing education. These staff are cross trained in each others basic duties, although total cross-training , given the complexity of their positions, is difficult. To assist in cross-training, each staff position has a position manual with instructions on how to perform the basic activities of that position. Therefore, such duties as entering exam scores can be shifted from one staff person to another if necessary.

The licensing system's efficiency depends on conducting licensing steps in batches. For example, applications are entered daily into the system and applications are approved for candidates to take examinations on a monthly basis. Exam scores are entered and new licenses are issued monthly after criminal record checks have been received from the Department of Public Safety.

Continuing education hours are required to be directly related to the practice of psychology. Licensees who are not being audited identify the continuing education that they received during the renewal period and the number of hours. The agency randomly audits 10% of its licensees that are scheduled to renew each month. Audited licensees must provide documents from the entities that sponsored the continuing education to verify that the continuing education was relevant to the practice of psychology.

A new rule requires that licensees must obtain at least 3 of the required 12 hours of annual continuing education in ethics, rules of practice, or professional responsibilities. These hours must be submitted beginning with those licensees who renew in June 2004.

All licensees are required to renew their licenses annually in their birthday months; therefore the agency has a relatively even spread of licensees renewing throughout the year.

Recently, the Board began providing the option of online renewals of licensure through Texas Online. This program has proved successful in that almost one-third of licensees now choose to submit their renewal applications online. Implementation of this project mandated that the agency raise all of its renewal fees by \$3-\$5 per year.

M. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. If this is a regulatory program, please describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

Regulation Needed:

The licensing and examination of new applicants and annual renewal with mandated continuing education are needed activities because they help to promote and ensure competent delivery of services

and the safety of the public including children who receive psychological services. Therefore, the persons who are licensed by this Board have met certain standards of knowledge of this field as demonstrated through their formal training, experience, and testing. Moreover, ongoing competence is maintained and enhanced by the Board's requirement of 12 hours of continuing education annually.

Licensees Who Fail to Submit Mandated Continuing Education:

Licensees who fail to provide mandated continuing education will have complaints filed against them by the Board. For further information, refer to this component of the next major program of the Board, Enforcement. This information will include follow-up activities when non-compliance is identified and sanctions available to the agency to ensure compliance.

Licenses Who Have Complaints from the Public Filed Against Them:

The procedures that the Board uses to process complaints against licensees of the Board are discussed under the next major program, Enforcement.

VI. Guide to Agency Programs

A. Please complete the following chart.

Texas State Board of Examiners of Psychologists Exhibit 14: Program or Function Information — Fiscal Year 2002	
Name of Program or Function	Enforcement
Location/Division	333 Guadalupe, 2-450, Austin, Texas 78701
Contact Name	Sherry L. Lee
Number of Budgeted FTEs, FY 2002	4.5
Number of Actual FTEs as of August 31, 2002	4.5

B. What are the key services of this function or program? Describe the major activities involved in providing all services.

Enforcement:

- Conduct all enforcement activities in compliance with agency Act, rules, policies and procedures.
- Create and maintain electronic and paper files on all complaints.
- Investigate complaints and document all essential steps.
- File complaints against licensees who fail to submit mandatory continuing education.
- File complaints against applicants for such incidents as cheating on mandatory examinations or lying on applications.
- Initiate cease and desist orders against unlicensed persons claiming to provide psychological services.
- Develop investigation summaries for use by the General Counsel, Executive Director and panels of Board members at informal settlement conferences.

- Schedule quarterly informal settlement conferences.
- Negotiate agreed orders for disciplinary action.
- Monitor completion of agreed orders for probation.
- Interact with parties to complaint, witnesses, and legal representatives.
- Resolve complaints which cannot be resolved informally at the State Office of Administrative Hearings (SOAH).
- Dismiss complaints for which there is not sufficient evidence to take disciplinary action..
- Prepare complaint materials for microfiche.
- Generate computer reports to assist the agency in submitting required reports and keeping the Board members informed.
- Provide information to the public by telephone, written correspondence, provision of open record requests, agency publications, agency website, and presentations at professional conferences.

C. When and for what purpose was the program or function created? Describe any statutory or other requirements for this program or function.

The Enforcement Division was created to implement Subchapter I, Disciplinary Procedures; Subchapter J, Administrative Penalty; and Subchapter K, Other Penalties and Enforcement Provisions, of the Act.

The Enforcement Division enforces the Act and the rules of the Board to further fulfill the Board's mission to protect the public.

Sections 501.401-501.410, Subchapter I:

- set out the grounds for disciplinary action,
- provides for the temporary suspension of a licensee,
- requires the Board to adopt a schedule of sanctions,
- provides for appeal of Board action,
- sets terms of probation,
- provides for requirement of remedial continuing education,
- provides for orders corrective advertising,
- sets administrative procedure reference in state law,
- requires Board to adopt rules for informal settlement proceedings.

Sections 501.451-501.462, Subchapter J:

- provides specifics for administrative penalties, including amount of penalty, notice of violation, hearings, options to decision, collection of penalty, and others.

Section 501.501-501-504, Subchapter K:

- allows the Board injunctive relief for persons who violate the Act,
- provides civil penalties and criminal penalties,
- provides for monitoring of license holder.

D. Describe any important history not included in the general agency history section, including a discussion of how the services or functions have changed from the original intent. Will there be a time when the mission will be accomplished and the program or function will no longer be needed?

Enforcement activities have changed in recent years as a result of the Board's (1) streamlining of enforcement processes, (2) empowering agency staff to resolve certain types of complaints and (3) allowing licensees to resolve continuing education complaints by payment of a penalty in lieu of disciplinary action.

The result of these actions have been a more efficient and timely complaint resolution system. The backlog of old complaints has been resolved. With the exception of two complaints that involve criminal proceedings and/or scheduled for SOAH, the agency's complaints date no earlier than calendar year 2002..

After two years of high turnover in staff at the agency (66.67% for fiscal year 2001, primarily occurring in the Enforcement Division), the agency has now maintained current Enforcement staff for over one year. This has significantly assisted the agency in its efforts to improve complaint resolution time.

The Enforcement program will always be needed as long as persons who provide psychological services in the state of Texas are required to be licensed and the state continues to ensure public safety in receiving psychological services.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Enforcement program affects the persons who receive psychological services and licensees. All persons who receive psychological services are affected in that services are made safer through the enforcement activities of the Board. All licensees are affected because they must be vigilant in ensuring that they practice in accordance with the professional and ethical standards set by the Act and the rules. Failure to do so may result in disciplinary action from the Board and possible loss of their license.

Persons who file complaints against licensees are affected because their accusations may be confirmed by the Board's investigation. Some of these complainants wish to see the violator punished; others hope to prevent other patients from suffering.

Licensees who have complaints filed against them may receive disciplinary action from the Board if the Board has evidence to prove violations. However, many complaints filed by members of the public do not result in disciplinary action because the Board cannot prove that a violation has occurred. At times respondents (licensees) admit to the accusations. But most of the time licensees do not agree with the accusations and hire legal representatives to defend them before the panel of Board members at the informal settlement conference or at hearings before the State Office of Administrative Hearings. (SOAH).

In fiscal year 2002, the Board filed 86 continuing education complaints and received 106 complaints from the public, for a total of 192 new complaints received. In that same time period, it resolved a total of 189 complaints, which included some complaints received that year and some from previous years.

F. Describe how the program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

G. If the program or function works with local units of government, (e.g., Councils of Governments, Soil and Water Conservation Districts), please include a brief, general description of these entities and their relationship to the agency.

Overview information and a flowchart regarding steps in the enforcement processes are attached as an addendum.

According to the Act, the Board may request the Attorney General to file for an injunction in district court to restrain a violation of the Act. This could be against a licensee or non-licensee. Also, the Attorney General, at the Board's request, may bring an action to recover a civil penalty.

H. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

General revenue and appropriated receipts are the funding sources for the program. The budget strategy is A.2.1. Enforcement.

The agency charges a \$250 fee to resolve continuing education complaints in a timely manner. The Board assigns costs for the resolution of a complaint that results in a disciplinary action. The agency also has authority to assign civil penalties of \$1,000 for each day of violation. These fees are deposited to General Revenue.

Additionally, the agency charges persons who sign agreed orders for disciplinary action fees ranging from \$500 to \$1,000 to cover agency costs. These funds are retained by the agency.

For FY 2002, this program was appropriated \$ 305,500 in General Revenue and \$ 3,000 in Appropriated Receipts.

I. Are current and future funding resources appropriate to achieve program mission, goals, objectives, and performance targets? Explain.

Provided that the Board does not experience the turnover in Enforcement that it endured in recent years, it has adequate resources and staff to process complaints and to take disciplinary action in a timely manner.

However, it should be noted that the absence of any on-staff information resource (IT) personnel hampers the agency in all areas including effective use of its database, the quality and timeliness of information on its website, and the security of information resources. This deficiency in staffing for this agency will be explained further in the Policy Issues section.

J. Identify any programs internal or external to the agency that provide identical or similar services or functions. Describe the similarities and differences.

There are no programs that provide identical services. However, similar services or functions are provided by the psychology boards of other states and by some national professional associations. Also, there are similar types of enforcement services provided by other health licensing boards in this state.

The statutes of other states vary from state to state. While the basic psychology programs and functions might be the same, the details of the statutes and the rules which each board passes to implement their Acts, make the services comparable but different.

Within the state of Texas, the statutes of the various health licensing boards have many similarities as is the intent of the Sunset Commission and the Legislature with across the board language in the various laws. However, the differences between these Boards stem primarily from the differences in the professions. For instance, in the area of Enforcement:

- The practice of psychology covers a wide range of methods and approaches, some of which are unique to psychology, such as the use of projective tests.
- Psychologists, at the doctoral level licensure for the independent provision of psychological services, are frequently called upon to provide testimony as expert witnesses and as fact witnesses in court settings, especially those involving child custody issues. Their testimony is substantially different than the testimony of other professional witnesses, such as medical doctors.
- Record keeping for psychologists is unique in that it is entirely dependent on the psychologist to provide the paper documentation of what occurs in private sessions. There are no prescriptions for medication, surgical scars or x-rays as in the practice of medicine.
- Informed consent for their patients is uniquely important to psychologists because there are limits to confidentiality, such as when the psychologist receives a subpoena for mental health records. Also, as the bulk of the services may involve the exchange of words and ideas between the psychologist and the patient, the notes that the psychologist takes are the primary means of ensuring continuity of care of the patient when he goes to another mental health provider.

All of the factors determine the kind of rules of practice that the Board must develop and which the licensees must adhere to in order to ensure the safety of the public who receive psychological services.

K. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question J and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

As mentioned previously in the Licensing Division component, the Board is a member of the Health Professions Council (HPC) and thereby shares in several services through a contract and memorandum of understanding. However, not noted previously are the many activities which the Board participates with through the HPC which affect the Board's Enforcement Division.

For example, the Board's legal counsel participates on a Legal Committee with attorneys and general counsels from the member boards who share information about pertinent topics which affect the various agencies. Currently, the Legal Committee will be reviewing how the agencies have implemented Chapter 53 of the Occupations Code which requires each discipline to determine which criminal actions preclude an applicant from licensure. This Committee will also be reviewing how the various agencies may or may not be affected by the HIPAA federal legislation.

In the past biennium the HPC agencies jointly reviewed their complaint processes as mandated by legislation from the 77th Legislative Session. After an extensive survey of the agencies, the HPC submitted a report to the Legislature comparing the major steps of the complaint process at the agencies

and identifying similarities and differences. One section of the report was the development of a standardized flowchart of complaint processing, which is attached as an addendum.

L. Please provide any additional information needed to gain a preliminary understanding of the program or function.

The Board's General Counsel, who is the agency's only attorney, works closely with the Board's two investigators and the Executive Director to ensure that complaints are resolved in a timely manner. By rule, the Board requires that complaints be prioritized. After that initial prioritization, the staff resolve the oldest complaints first.

The Board authorizes the staff to resolve some types of complaints. These complaints include cease and desist orders, complaints from state and federal inmates, non-jurisdictional complaints, and first time continuing education violations.

M. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. If this is a regulatory program, please describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

Regulation is Needed:

Enforcement activities are needed in that they further the mission of the Board to protect the public. Licensees are required to post a sign in their offices indicating that complaints against them can be filed with this Board, giving the address and phone number of the Board. The Board in turn has the authority to investigate the complaints to determine if a violation of the Act or rules has occurred and if there is sufficient proof for the violation. The Board then can take disciplinary action against the licensee through an agreed order or by taking the case to SOAH.

The purposes of disciplinary action are to:

- rehabilitate the licensee through certain activities such as additional continuing education and monitoring,
- secure the safety of the public through such rehabilitative actions and by identifying the licensee who committed the violation to the public through the agency website and by open record requests,
- warn other licensees of the types of violations that the Board has sanctioned through publication of the names of the licensees who have committed violations in the agency's newsletters,
- and punish the licensee for committing the violation since the discipline, once completed, remains on the licensee's record permanently.

Scope of Procedures for Investigating Complaints:

The Board receives substantive complaints against licensees from members of the public. Frequently, the complainants are patients. Also, the Board initiates complaints against licensees who fail to submit mandated continuing education. The Board has extensive written procedures and forms dictating the

processing of substantive as well as continuing education complaints. The processing steps for the resolution of continuing education complaints are brief compared to those for substantive complaints.

Procedures for Substantive Complaints:

The following steps occur in the resolution of a substantive complaint. Note that at certain junctures in processing, different steps are required or some steps can be eliminated. The agency's flowchart, which is attached, presents such alternatives more clearly.

- receipt of the complaint, the establishment of paper and electronic files, obtaining releases and waivers for patient records.
- review by Enforcement Manager, assignment to investigator, requesting response from respondent, acknowledging complaint received to complainant.
- provision of schedule of complaint resolution to respondent and complainant.
- review of all documents, interviewing complainant, respondent and others by phone, composing complaint review summary.
- provision of notice of violation to respondent.
- review by staff for final dismissal, recommendation for dismissal to Board, or, if probable cause that a violation has been found, assignment to informal settlement conference before panel of Board members.
- complaints recommended for dismissal by staff are reviewed as an anonymous summary of the complaint by the Board for final dismissal.
- complaints heard at informal settlement conference result in dismissal at next Board meeting, negotiation of an agreed order, or formal proceedings at SOAH.
- agreed orders and SOAH Proposals for Decision must be approved by the Board.
- closing complaints includes making changes in electronic and paper files and sending closing letters to respondent and complainant.

Procedures for Continuing Education Complaints:

The procedure for the resolution of continuing education complaints for first time offenders is much simpler. Board Licensing staff identify those licensees who fail to renew their licenses after their renewal date plus the 45 day grace period and provide a list of these licensees to the Enforcement Division. Enforcement then opens complaints against these licensees, notifying them of the ways in which the complaint can be resolved. Most licensees choose to pay a set penalty in a timely manner and the complaint is dismissed. Complaints against repeat continuing education offenders are processed like substantive complaints and may receive disciplinary action. After the continuing education complaint is resolved, the licensee can determine if he or she wants to renew his license by obtaining the required continuing education and paying a late renewal fee or to let the license go void after the end of one year, in accordance with Section 501.302 of the Act.

Compliance with Agreed Orders:

Some types of agreed orders require the respondent to be monitored for a certain period of time or to comply with other requirements. Such agreed orders must be followed to ensure compliance. Because of the few number of these types of agreed orders and the fact that most of these orders involve legal representation, the General Counsel performs this function.

Sanctions by the Board:

Primarily, the Board issues disciplinary action in the form of a reprimand, probation, suspension, or revocation. The Board has a policy which serves as a guideline to determine which of these disciplinary actions is appropriate for which type of violation. As part of an agreed order, the Board can also require monitoring or restriction of a practice, obtaining a medical or psychological evaluation, obtaining additional continuing education in a certain area, or retaking and passing the Jurisprudence Exam.

N. Chart for Complaints against Regulated Persons.

Texas State Board of Examiners of Psychologists Enforcement Exhibit 15: Complaints Against Regulated Persons – Fiscal Years 2001 and 2002 (Note: this Board does not regulate facilities or programs. This information pertains only to Jurisdictional Complaints, not to Non-Jurisdictional Complaints)		
	FY 2001	FY 2002
Number of complaints received	154	192
Number of complaints resolved	169	189
Number of complaints dismissed, i.e. insufficient evidence, not timely, etc.	127	170
Number of sanctions	42	19
Number of complaints pending	129	118
Average time period for resolution of a complaint	352 days	249 days
Number of entities inspected or audited by the agency, i.e. renewed with mandatory continuing education, plus complaints resolved	6,476	6,689
Total number of entities or persons regulated by the agency	6,826	6,916

VII. Agency Performance Evaluation

A. What are the agency's most significant accomplishments?

High Performance in High Turnover of Staff:

The Board's most significant accomplishment is being able to provide all required services during periods of extremely high staff turnover and at the same time improving the agency's performance measures in crucial areas.

For example, in fiscal year 2001 the agency had a 66.67% turnover in staff, primarily in Enforcement, and yet managed to meet its key performance measures. For the last three fiscal years it has greatly improved its average time for complaint resolution, reducing it from 460 days in FY 2000 to 207 days by the third quarter of FY 2003.

Implementation of Licensed Specialist in School Psychology (LSSP):

The Board's successful implementation of this new mandated type of license. The state now has over 2,000 LSSPs who can legally provide psychological services in the public schools in this state.

Previously, provision of psychological services in the public schools was regulated by the Texas Education Agency, and public school settings were exempt areas of practice in the Psychologists' Licensing Act.

Documentation of Processes:

The Board has made a concerted effort to document processes in all operations to assist the agency in more easily absorbing turnover without a decrease in the quality or quantity of agency services.

Website Establishment:

Despite the fact that the Board does not have any information resources staff unlike the majority of other small health licensing agencies it has managed to contract for services to establish a viable website with important and relevant information for licensees, applicants, and the public. Only the lack of monetary resources and information resources staff have limited the agency's efforts to provide website services and other services online.

Changes to Required Examinations:

The national psychology examination, the EPPP, has been computerized for two years. This conversion led the Board to convert its Jurisprudence Exam to an open book, mail-out examination so that applicants would be provided a more realistic assessment of the actual requirements for practice.

Streamlining of Licensing and Enforcement Processes:

The Board has consistently made changes in rules and policies in the last few years in order to speed up the licensure process and to resolve its complaints in a more timely manner. It has allowed applicants to obtain full licensure in less than one year, from the receipt of the initial application to the completion of all licensure examinations and other licensure requirements. This streamlining in licensure included such steps as clarifying rules, revising applications, and allowing out of state practitioners without disciplinary action to have fewer licensing requirements. Additionally, it has allowed complaints to be resolved in a thorough and timely manner of generally one year or less and licensees who are not found in violation to continue in their practice.

Online Renewals:

What the Board had sought to accomplish on its own was finally accomplished by the Legislature mandating online renewals as a joint project for the Texas Online Authority. This legislation passed by the 77th Legislature required the Texas Online Authority to establish a mechanism so that many health licensees could have the option of renewing online. It mandated that in order to participate, the agency had to raise its renewal fees to cover the costs for this project.

B. Describe the internal process used to evaluate agency performance, including how often performance is formally evaluated and how the resulting information is used by the policymaking body, management, the public, and customers.

Quarterly Performance Measures:

The staff presents each Quarterly Performance Report to the Board at its next scheduled Board meeting. The staff provides additional information as needed regarding these reports. Along with these reports, there is an annual performance report at the end of the fiscal year, which is provided the Board. These reports allow the Board to access the Board's success in meeting legislatively mandated performance goals.

Board Meeting Updates:

At each Board meeting, the Board receives additional statistics regarding Enforcement actions, projected time schedules that have been issued, and the status of pending complaints, such as the number per calendar year and the types of complaints. The Board also receives a report regarding the compliance activities of licensees with pending agreed orders, and it approves new agreed orders. Moreover, the status of any pending lawsuits against the agency are provided at Board meetings in executive session.

Other staff reports at the Board meetings include those from the Executive Director and the General Counsel, as well as from Board members who serve as committee chairs, such as Applications, Enforcement, and Technology.

Customer Service Surveys:

The Board annually submits different surveys to each of its primary service groups: licensees, applicants, written examinees, oral examiners, oral examinees, complainants, respondents, and persons who make open record requests. The results of these surveys are tabulated and presented to the Board for review. The Board also reviews any comments that are received on these surveys. Staff prepare a summary of any follow up actions on surveys for which the responder provided a voluntary name. The Board and the Executive Director decide if any actions need to be taken as a result of the surveys to improve agency services.

Annual Board Goals:

For the past several years, the Board has established annual goals which it wishes to accomplish. Additional information or research about these goals is presented at each Board meeting for Board review and action. The Board reviews the total list of goals at each meeting to assess progress. In the past few years the Board also conducted an annual review of itself, but has now decided that the Annual Board Goals are a more appropriate tool for self-evaluation.

Internal Audits:

For the past two years, the Board obtained internal audits through a contracted professional accounting firm. These two audits were conducted following a risk assessment of the agency and were on the areas of licensing and enforcement. The audits identified ways in which the Board could improve its operations as well as verified to the Board that its operations were sound and even superior to most other agencies.

Other Reports, Audits, Correspondence:

The Board also reviews any other audits that the agency has had by oversight agencies such as the SAO, CPA and TBPC. As a result of any audit, the Executive Director prepares statements for the Board in regard to progress or fulfillment of recommendations. Additionally, the Board reviews reports such as the Annual Financial Report, Risk Management assessments, and many other mandated and self-initiated reports on various areas of the agency and its operations. Moreover, at each Board meeting the Board responds to written requests for explanations or waivers to rules. Such requests allow the Board to identify issues that may need further work by the agency in order to clarify, expand, or delete rules.

Annual Evaluation of Executive Director:

The Board conducts an annual evaluation of the Executive Director to assess her competence in continuing in her position with the agency and to provide her with guidance in performing her duties. This evaluation is not tied to any kind of monetary consideration since the Board has no authority to raise its Director's salary.

Survey of Organizational Excellence:

The Board conducts this survey of staff which was established by the University of Texas School of Social Work. The survey assesses the opinions of each individual staff member on various aspects of the agency including such miscellaneous items as staff training, salaries, and customer service. The results of this survey allow the Executive Director and the Board to compare the agency to other state agencies and to determine what aspects of management need to be improved.

Legislative Appropriation Request:

Every two years the Board must submit a Biennial Appropriations Request (LAR) to the Legislature. This lengthy document is a broad overview of the agency's performance from the past year compared to the anticipated upcoming biennium. This document allows the Board to assess the status of the agency and its future needs.

C. What are the agency's biggest opportunities for improvement?

Doing More or At Least the Same with Less Funding:

Like all areas of state government, the Board is being asked to do more with less funds. The agency had a cut-back in funding for fiscal year 2003 of 7% and will have a cut back in funds for fiscal years 2004-2005 of at least 10%. Nevertheless, the agency is expected to license more persons, resolve complaints in a timely manner, and accomplish all other duties.

The agency will continue to provide quantity and quality and to uphold its primary mission of protecting the public even with the cutback in funds. Its plan to accomplish this is to convert a paper roster of licensees to an online roster that is updated annually, thereby saving thousands of dollars in printing and postage annually. (More concerns about the Roster will be presented under the Policy Issues section.) Moreover, the Board has reduced its number of annual meetings to four instead of the traditional five per year. Other changes include eliminating contracts for services for maintenance of office equipment and pagers and reducing the set fee paid to Oral Examiners from \$200 to \$150.

D. How does the agency ensure its functions do not duplicate those of other entities?

The Board is a member of the Health Professions Council (HPC) as mentioned previously. The purpose of this group of 12 agencies is to coordinate functions and thereby operate more efficiently. Over the past several years, the HPC has accomplished many coordinated functions, most of which are now taken for granted, although they continue to provide benefits to the agencies.

- All of the member agencies are co-located in the Hobby Building, whereas before they had separate locations across Austin.
- The HPC has a toll-free complaint line to receive complaints from the public and direct them to the appropriate member agency.
- Member agencies share courier services, printing services, legislative services, network support services, and training services.
- The HPC produces an annual report that allows its readers to compare agencies in regard to enforcement activities and numbers of persons licensed.
- Member agencies share an imaging system and software.
- The HPC member agencies share resources and information on many topics including other state and federal laws.
- The HPC is given new duties in each legislative session, such as comparison of enforcement processes and how to make complaint information more available to the public.

- The 78th Legislature requires the HPC to establish an Office of Patient Protection to monitor the rules and enforcement actions of the HPC agencies and to represent classes of complaints before the various Boards.
- Some agencies share staff, such as accountants, information resource staff, and receptionists. Other agencies have sought to obtain other shared staff through the legislative process but were not approved for the shared positions.

E. Are there any other entities that could perform any of the agency's functions?

There are other government entities and private entities that may be able to provide some of the agency's functions.

However, there is the question as to whether such outsourcing would be cost prohibitive and, therefore, would it necessitate raising the licensing fees even further in order to pay for these outsourced services.

Also, there is the issue of staff expertise in the administration of the Act, rules, policies, and procedures which would be lost if certain agency services were outsourced to a private company.

F. What process does the agency use to determine customer satisfaction and how does the agency use this information?

As explained previously, the Board conducts annual surveys of its primary customer groups. The agency now collects over 500 surveys annually, each with several questions and with comments requested. The results of these surveys are provided to the Board and used to determine the need to change or make adjustments to certain primary agency functions. For example, surveys showed that applicants were dissatisfied in that they were not able to speak directly with licensing staff every day of the week. Therefore, the agency changed its policies so that members of the public may access licensing staff by phone Monday - Friday in normal business hours. Previously, licensing staff took calls only on Tuesdays and Thursdays. This change was possible only because the agency has instituted staff time-saving innovations in its rules and operations regarding licensing and examinations..

Another example is that the agency has expanded its website to provide more information for applicants, such as the Oral Exam brochure for oral exam candidates and the Public Information on Investigation of Complaints brochure.

For the past two years the results of the Board's customer service surveys illustrate that the majority of the agency's customers are pleased with the agency's services. However, the nature of the Enforcement services typically leaves either the respondent or the complainant displeased with the resolution of the complaint and therefore with the Board. When persons provide their names on their surveys, as this is an option, the staff can recheck particular complaint files to ensure that standardized processing occurred. The specificity of the questions asked on each type of survey allow the Board and the Executive Director not only to broadly determine customer satisfaction, but also to identify areas of greatest satisfaction, as well as those of least satisfaction.

G. Describe the agency’s process for handling complaints against the agency, including the maintenance of complaint files and procedures for keeping parties informed about the process. If the agency has a division or office, such as an ombudsman, for tracking and resolving complaints from the public or other entities, please provide a description.

Complaints against the agency are usually received in the form of a letter to the Board. Board members and staff encourage the use of such letters to express complaints so that all members of the Board have the opportunity to approve the written response and any corrective action that is taken. These are referred to as Opinion Letters and are maintained for at least five years.

Rarely, but on occasion, the Board has received a letter from the Governor’s Office or a state representative on behalf of a constituent who states their concerns against the Board. These letters are responded to by the Board at a Board meeting. Typically, the Executive Director would research the situation and provide information to the state official about their concerns in advance of the Board’s formal response.

Occasionally, complaints are provided to Board member or to staff only by telephone, and the person complaining does not wish to file a written complaint. The Board member refers the complainant to the Executive Director for resolution or requests that the matter be discussed at the next Board meeting, pending approval by the Chair of the Board. Therefore, as appropriate, the Executive Director may resolve the complaint to the person’s satisfaction or may decide to forward the complaint to the Board for resolution.

Members of the public may also give public testimony before the Board to deliver their complaints. Moreover, they may make a written request to be on the agenda at a Board meeting to express their concerns in accordance with Board policy. All Board meetings are recorded and official minutes are prepared.

The Executive Director serves as the primary customer service representative for the agency, but all staff may receive complaints and forward them to the Executive Director.

The agency’s website includes a customer service policy, the Compact with Texas, which informs the public how to contact the agency if they have a complaint.

H. Please fill in the following chart. The chart headings may be changed if needed to better reflect the agency’s practices.

The following complaints filed against the agency are the Opinion Letters which expressed dissatisfaction with Board operations and which were reviewed and responded to by the full Board. These numbers do not include individual requests for waiver of Board rules.

<p>Texas State Board of Examiners of Psychologists Exhibit 16: Complaints <u>Against the Agency</u> – Fiscal Years 2001 and 2002 Opinion Letters that Dealt with Complaints Against the Agency</p>		
	FY 2001	FY 2002
Number of complaints received	4	6

Number of complaints resolved	4	6
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I. What process does the agency use to respond to requests under the Public Information (Open Records) Act?

The Board processes requests for agency information in accordance with the Public Information Act and the Board’s rules and policies.

Telephone Requests:

The Board provides verifications of current licensure by phone as well as the licensee’s address of record and phone number. The Board also provides whether or not the licensee has disciplinary action from the Board.

Other Requests for Information:

The Board provides information when requested in writing, by fax and my e-mail. Such requests are directed to the agency’s Open Records Coordinator. Standard requests for information are provided by the Coordinator. Any unusual requests are reviewed and/or responded to by the General Counsel for the agency.

Typical open record requests are for written verification of licensure, copies of professional files, and copies of agreed orders.

J. Please fill in the following chart with updated information and be sure to include the most recent e-mail address if possible.

Texas State Board of Examiners of Psychologists Exhibit 17: Contacts			
INTEREST GROUPS (groups affected by agency actions or that represent others served by or affected by agency actions)			
Group or Association Name/ Contact Person	Address	Telephone & Fax Numbers	E-mail Address
Texas Psychological Association David White, Executive Director	1011 Meredith Drive, #44 Austin, Texas 78748	512-280-4099 512-280-4334 fax	tpadkw@bga.com
Texas Association of Psychological Associates Betty Dawson, Secretary	2920 McFarlin Blvd. Dallas, Texas 75205-1920	214-691-6373 phone/fax	fedawson@swbell.net
Texas Association of School Psychologists Carol Booth, Ph.D., LSSP President	4111 Bayou Grove Drive Seabrook, TX 77586	281-326-2703 h. 832-386-1000 w.	cbooth@prodigy.net
INTERAGENCY, STATE, OR NATIONAL ASSOCIATIONS (that serve as an information clearinghouse or regularly interact with the agency)			

Group or Association Name/ Contact Person	Address	Telephone & Fax Numbers	E-mail Address
Association for State and Provincial Psychology Boards Randolph Reaves, Executive Director Mardi F. Allen, Ph.D., President	P.O. Box 241245 Montgomery, AL 36124-1245	334-832-4580 334-269-6379 fax	jpippin@asppb. org
LIAISONS AT OTHER STATE AGENCIES (with which the agency maintains an ongoing relationship, e.g., the agency's assigned analyst at the Legislative Budget Board, or attorney at the Attorney General's office)			
Agency Name/Relationship/ Contact Person	Address	Telephone & Fax Numbers	E-mail Address
LBB, Thomas Galvan, Budget Analyst Ronnie Porfirio, IR Analyst	1501 Congress, 5 th Floor Austin, Texas 78701	512-463-1200 512-475-2903 fax	thomas.galvan@ lbb.state.tx.us
Attorney General's Office, Jason Ray, Assistant Attorney General	209 West 14 th Street, 5 th Floor Austin, Texas 78701	512-475-4300 512-320-0167 fax	jason.ray@oag. state.tx.us
Comptroller of Public Accounts Cheryl Ornelas, ACO	111E 17 th St., 9 th Floor Austin, Texas 78711	512-463-3848 512-475-0527 fax	cheryl.ornelas@ cpa.state.tx.us
Governor's Budget Office, Heidi Lopez Cepero, Budget Analyst	1100 San Jacinto Austin, Texas 78701	512-463-1778 512-463-1880 fax	hlopez-cepero@ governor. state.tx.us

VIII. 78th Legislative Session Chart

Fill in the chart below or attach information if it is already available in an agency-developed format. In addition to summarizing the key provisions, please provide the intent of the legislation. For example, if a bill establishes a new regulatory program, please explain why the new program is necessary (e.g., to address specific health and safety concerns, or to meet federal mandates). For bills that did not pass, please briefly explain the issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation).

Texas State Board of Examiners of Psychologists Exhibit 18: 78th Legislative Session Chart		
Legislation Enacted - 78th Legislative Session		
Bill Number	Author	Summary of Key Provisions/Intent

HB 2132	Zedler	Gives TSBEP authority to issue a subpoena during an investigation. Avoids having to send a complaint to SOAH in order to get subpoena authority.
HB 660	Allen	Gives TSBEP authority to obtain fingerprint checks on applicants and licensees. This would allow national criminal databases to be accessed, rather than just the Texas database.
HB 279	Jackson	Requires TDLR to establish a call information center for persons desiring information about a licensing program. Requires agencies to electronically share information about licensees. Allows licensee of more than one agency to make one address change through TDLR.
HB 1166	Solomons	Allows a licensee of more than one agency to make a single address change through TDLR.
HB 3442	Pickett	Requires Council on Competitive State Government to outsource human resource functions of small state agencies if they find that this is cost effective. Agencies have to pay for outsourced services. Intent is to cut state employees and save state funds.
HB 2485	Hochberg	Requires small state agencies to conduct annual risk assessment and to submit report to SAO. Eliminates requirements to have annual internal audit.
HB 1406	Brown	Prohibits school personnel from recommending that a student use a psychotropic drug or suggest a diagnosis. This limits LSSPs in the public schools from making these recommendations and may be in conflict with federal laws.
HB 2985	Capelo	Requires HPC to establish an Office of Patient Protection to provide information to the public about enforcement, to review rules of HPC member agencies, to represent persons with similar complaints to the Boards. Requires agencies to raise fees to cover costs.
Legislation Not Passed - 78th Legislative Session		
Bill Number	Author	Summary of Key Provisions/Intent/Reason the Bill did not Pass
HB 425	Christian	Requires agencies to research legislative history of proposed rules to determine if intent of Legislature. Vetoed because of excessive administrative burden on agencies.
HB 3451	Noreiga	Provides prescription privileges to licensed psychologists who receive additional formal training and pass a national test. Left pending in committee.
SB 147	Barrientos	Requires agencies to adopt risk management plans as part of strategic plans. Vetoed because of excessive administrative burden on state agencies.

IX. Policy Issues

A. Brief Description of Issue

Should the agency be given an additional FTE to share with two other small state health licensing agencies to provide information resources support to these agencies?

B. Discussion

In recent years the Legislature has supported increased e-government initiatives at state agencies and sharing of staff by small state agencies.

Almost every member of the Health Professions Council has an in-house staff information resources person to assist with the programming, database, and website activities of the agency.

The 77th Legislature provided a new FTE Systems Analyst position to be shared by the State Veterinary Board, the State Optometry Board and the Health Professions Council to support the shared imaging system.

The Texas Conservative Coalition supported the Psychology Board, the Funeral Commission and the Executive Council of Physical and Occupational Therapists in their request to the 78th Legislature for a shared information resources person to assist all three agencies with their information resources needs. This initiative was not funded by the 78th Legislature.

Therefore, the Psychology Board has no in-house information technology (IT) support.

The lack of an IT person, compared to the other health licensing agencies, makes it difficult for this agency to expand its website and online services. It also makes it difficult to maintain security of the agency's hardware and software as well as to provide adequate staff training in risk management of information resources.

C. Possible Solutions and Impact

- A. Another HPC member agency could share their IT staff with the Psychology Board. However, HPC agencies find it difficult to share their existing IT support staff because they are overloaded with their own agency's work. Also, the Psychology Board has no funding to pay for such support. It should be noted that a one-time project is not what the Board requires, but on-going maintenance and support of its system, website, and other IT needs.
- B. The Legislature could allow a new shared FTE and provide funding for this purpose which the three agencies could pay for by raising their fees.

This proposal was turned down by the 78th Legislature. The total funds requested would have been \$52,000 to be shared by the three agencies. This funding for the first year would have included start-up costs and the annual salary of \$45,000.

A. Brief Description of Issue

Should the Board have to produce an annual Roster of licensees as mandated by Section 501.154 of the Act?

B. Discussion

Because of budget cuts in fiscal years 2003-2005, the Board will produce the Roster in an online version only. This has allowed the agency to meet its 7% cut in funds for FY 2003 and for the 2004-2005 biennium, because of the costs saved in printing and postage. However, the online version, like the paper version formerly, will only be current as of the day it is produced. That is, the Roster is a list of licensees that are currently licensed as of the day of publication. However, some licensees renew every month in a process of staggered renewals in birthday months. Also, some licensees go inactive and new licensees are added.

By law the Roster is required to be distributed to licensees. The Board believes that by publishing the Roster on line it is fulfilling this requirement as well as going a step beyond, by making it freely available to the public. In the past the Board has charged \$10 per copy of the publication to members of the public.

C. Possible Solutions and Impact

Section 501.154 could be removed from the Act. This would save the agency approximately \$3,500 which the agency estimates it must expend in order to put the Roster online each year.

The Board will add a disclaimer on its online Roster that the listing of licensees is current only on specific date and, therefore, the inquirer may wish to call the Board office to ensure that the information in the Roster is current for any individual licensee.

A. Brief Description of Issue

Should the Psychology Board change from annual renewals to two-year renewals?

B. Discussion

By changing to two-year renewals the agency would reduce the amount of staff time that is required to process renewal fees and to review continuing education credits.

C. Possible Solutions and Impact

The Act could be changed to allow for two-year renewals. The agency would have to implement a phase in scenario to switch all licensees to two-year renewals. This might require two years to accomplish.

Some licensees would oppose this change because the renewal fees are so high and therefore the two-year renewal fee would be substantial unless well-planned for by the licensees. For example, the

licensed psychologist two year renewal fee would be \$760. If these psychologists also were licensed specialists in school psychology they would have to pay an additional fee of \$66 and if they were Health Service Providers, they would also have to pay an additional \$40. The total fees then paid would be \$866. Additionally, legislation passed by the 78th Legislature will require all renewal fees to increase by \$1 per year.

Similarly, late renewal fees are substantial for annual renewals. If they were doubled, they also would become especially burdensome to the licensee. If they were not doubled, there would be a decrease in General Revenue.

Other costs saved by the agency for two year renewals would be a reduction in paper forms and postage.

A. Brief Description of Issue

Should the Psychology Board require its licensees to renew online, rather than offering this as an option?

B. Discussion

Online renewals have been available for only a few months and already approximately one-third of licensees renew on line.

However, even now some licensees do not have computers and do not plan to purchase computers. They would have considerable difficulty in mandatory online renewal applications. There is the question of whether the government should force individuals to interact through computers with government and provide no alternatives.

Also, some persons do not conduct any of their official business online for fear of identify theft. Online renewal does require online payment. This is a growing concern of many persons who would conceivably object to mandatory online renewal.

Online renewals do save staff time in processing renewal applications and entering renewal fees. Therefore, mandatory online renewal would save additional staff time.

C. Possible Solutions and Impact

Several state health licensing agencies are mandated this interim to begin mandatory online renewal. The Board should continue to monitor the success of this project to determine if it would be feasible and appropriate for this agency and its licensees. It should be noted that the majority of these agencies have licensing fees far below those set by the Psychology Board.

X. Comments

The Psychology Board:

- operates in an effective and efficient manner,
- provides conscientious customer service,
- is always open to change in order to improve its services,
- treats all applicants and licensees fairly and equitably, and
- respects the decisions and intent of Legislative actions.

It welcomes the comparison of its services to any health licensing board in this or in any other state.

ADDENDUMS

A. Licensing Information

B. Enforcement Information